

Attendance Sheets

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

Date: 09/11/2017

Regular Meeting
of the
Dutchess County Legislature

Monday, September 11, 2017

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

Roll Call by the Clerk of the Legislature

PRESENT: 23 Borchert, Bolner, Black, Brendli, Coviello, Flesland,
Forman, Horton, Incoronato, Jeter-Jackson,
Kakish, Landisi, Metzger, Pulver, Rieser,
Roman, Sagliano, Strawinski, Surman,
Thomes, Truitt, Tyner, Washburn

ABSENT: 2 Amparo, Miccio

PRESENT, LATE: 0

Quorum Present.

Pledge of Allegiance to the Flag; invocation given by Rabbi Leah Berkowitz of Vassar Temple in Poughkeepsie, followed by a moment of silent meditation.

Public Hearing:

Public Hearing in Connection with the Establishment of Zone of Assessment "N" in the Dutchess County Water District Encompassing all the Properties to Receive Water from the Airport Water Line

The Clerk read the Notice of Public Hearing.

Chairman declared the public hearing open.

Constantine Kazolias, City of Poughkeepsie, questioned the location of Zone N.

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

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

Constantine Kazolias, City of Poughkeepsie, spoke in favor of providing housing and services for veterans.

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

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

The August 2017 minutes were adopted.

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

Legislator Coviello spoke regarding housing program for homeless veterans.

Legislator Pulver gave an update on the 3rd Annual Agricultural Forum held at the Dutchess County Fair.

COMMUNICATIONS RECEIVED FOR THE SEPTEMBER 2017 BOARD MEETING

Received from Dutchess County Stabilization Center:

August 2017 Monthly Stat Report

Trends and Summary Data at Six Months

Received from County Clerk:

Mortgage Tax Detail Ledger, Mortgage Tax Report, Foreclosure Report, and Summary of Mortgage Tax Collection, and

Foreclosure Reports for July and August 2017

Received from Judge and Mrs. James J. Battisti Jr, Email regarding Beekman Cemetery, 21 Church Street, Poughquag.

Received from New York State Department of Taxation and Finance, List of 2017 State Equalization Rates.

Received from Assemblymember Kevin Cahill, Acknowledgement of letter signed by various members of the Dutchess County Legislature.

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

Received from County Executive:

Letters to Senators regarding chargeback payments to the Fashion Institute of Technology.

Letter to Commissioner of NYS Department of Corrections and Community Supervision regarding plans for new Dutchess County Jail.

Received from Commissioner of Finance:

Letter to MTA Comptroller Regarding Metro-North Commuter Railroad Station Maintenance, Use and Operations.

Notice of Private Competitive Bond Sale

RESOLUTION NO. 2017164

RE: REQUESTING THE DUTCHESS COUNTY LEGISLATURE TO REVIEW AND CONSIDER THE COUNTY-WIDE SHARED SERVICES PROPERTY TAX SAVINGS PLAN SUBMITTED HEREWITH AND ISSUE AN ADVISORY REPORT MAKING RECOMMENDATIONS, IF ANY, IN ACCORDANCE WITH PART BBB OF CHAPTER 59 OF THE NEW YORK STATE LAWS OF 2017

Legislators FLESLAND, BORCHERT, MICCIO, BOLNER, SAGLIANO, LANDISI, INCORONATO, KAKISH, and JETER-JACKSON offer the following and move its adoption:

WHEREAS, in accordance with Part BBB of Chapter 59 of the New York State Laws of 2017, Section (4)(b), the chief executive officer of the county shall submit the "County-Wide Shared Services Property Tax Saving Plan" (the Plan) to the County Legislature, and

WHEREAS, such Plan shall be accompanied by a certification as to the accuracy of the savings contained therein, and

WHEREAS, in accordance with Part BBB of Chapter 59 of the New York State Laws, Section 4(c), the County Legislature shall review and consider the Plan, and

WHEREAS, by a majority vote, this Legislature may issue an advisory report making recommendations as deemed necessary, and

WHEREAS, the County Executive may make modifications to the Plan based on such recommendations and provide an updated certification as to the accuracy of the savings contained therein, now therefore, be it

RESOLVED, the Dutchess County Legislature has considered the County-Wide Shared Services Property Tax Savings Plan submitted herewith, and be it further

RESOLVED, that the Dutchess County Legislature does not have additional recommendations for the County Executive to consider.

CA-085-17
CRC/CAB/kvh/G-1713
07/13/17
Fiscal Impact: See attached statement

APPROVED

MARCUS J. MOLINARO
COUNTY EXECUTIVE

Date 9/12/2017

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 11th day of September 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 11th day of September 2017.


CAROLYN MORRIS, CLERK OF THE LEGISLATURE

FISCAL IMPACT STATEMENT

NO FISCAL IMPACT PROJECTED

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

Total Current Year Cost \$ _____

Total Current Year Revenue \$ _____
and Source

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

Identify Line Items(s):

Related Expenses: Amount \$ _____

Nature/Reason:

Anticipated Savings to County: _____

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

Additional Comments/Explanation:

The County-Wide Shared Services Tax Savings Plan, as presented to the Dutchess County Legislature, includes \$25.2 Million in savings and cost avoidance over two years. This plan incorporates savings from 35 projects related to the participating municipalities including; two cites, twenty towns, eight villages, four school districts, Dutchess County BOCES, and Dutchess County.

Prepared by: Rachel Kashimer, Budget Office

Prepared On: 7/21/17

DUTCHESS COUNTY COUNTY-WIDE

SHARED SERVICES

TAX SAVINGS PLAN

2018-2019

DRAFT

DUTCHESSNY.GOV





COUNTY OF DUTCHESS

MARCUS J. MOLINARO
COUNTY EXECUTIVE

The Governor and members of the State Legislature enacted a State Budget including a provision that mandated the County Executive lead a panel comprised of all city, town and village executives in the creation of a county-wide shared services property tax savings plan. Shared services and property tax savings are not new ideas in Dutchess County, nor was it necessary to mandate we do it. We have always worked hand in hand with our municipalities in an effort to create long-lasting cost savings for the residents of Dutchess County as demonstrated by the listing of shared services provided in appendix B. We have reduced the county property tax levy in each of the last three years including a rate reduction in 2017.

Since 2013, our administration and the County Legislature allocated nearly \$7 million through our Municipal Innovation Grant Program specifically designed to incentivize municipalities to share services, evaluate consolidation opportunities, establish a regional delivery of services, and implement other efficiencies. A full list of the funded initiatives is included in appendix A. We have also worked on joint Community Development Block Grant Projects designed to prevent the duplication of efforts as outlined in appendix C.

This plan represents the hard work and dedication of all of our municipalities and participating school districts to save taxpayer dollars by reducing costs. Since April, collectively, we have spent more than 1,470 hours to date, formulating over \$27M in savings related to 37 projects, and we applaud the participating municipalities and school districts for their efforts.

In addition to the savings identified, the Governor has promised matching funds where eligible. This funding will provide further taxpayer relief and we look forward to working with the State to draw down those promised funds. Some projects require a Local Government Efficiency grant to move forward and we know that the State will work with us on those important initiatives.

This plan is just one snapshot. We will continue to work together as one community, one county, to share services, eliminate duplicated programs, consolidate and provide overall tax savings for the residents of our County, as we have been for many years.

Marcus J. Molinaro
Dutchess County Executive

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Property Tax Savings Plan Project Summary

Project Number	Initiative	2018 Savings	2019 Savings
1	Salt Purchasing Cooperative	608,132	622,315
2	Shared Paving via County	200,121	211,310
3	Highway Equipment Rental via County	27,685	26,760
4	Dutchess Delivery Shared Electronic Communication & Outreach	229,071	204,571
5	County Procurement Specialist	78,894	99,025
6	Motor Vehicle Repair	35,042	35,918
7	Microsoft Office 365 Maintenance & Administration	9,887	10,037
8	Website Development & Maintenance	83,465	89,085
9	Tyler Technology Public Safety Software	98,700	98,700
10	Worker's Compensation Pool	3,742,782	3,739,532
11	Drug Task Force	3,526,410	3,526,410
12	Crisis Intervention Training	106,500	95,500
13	Shared Court Facilities (A)	44,000	44,000
14	Shared Court Facilities (B)	60,000	60,000
15	Municipal Solar Farm	493,000	13,000
16	Financial Management Software Training	2,057	-
17	Shared Fuel Farm (A)	73,200	2,000
18	Shared Fuel Farm (B)	201,000	-
19	Laserfiche Electronic Content Management	8,000	8,000
20	Sports Field - Infield Mix	14,500	20,000
21	Sports Field - Permanent Synthetic Marking	168,240	171,605
22	Workplace Violence/Defensive Driving Training	1,000	1,000
23	Shared Municipal Sewer Supply	350,000	50,000
24	Public Access Channel - P.A.N.D.A.	681,369	189,369
25	Shared Skid Steer Purchase	96,675	-
26	Public Safety Dispatch Consolidation	-	653,323
27	Consolidation of Firehouses	-	135,050
28	Highway Department Shared Services (A)	60,000	60,000
29	Highway Department Shared Services (B)	187,880	187,880
30	Law Enforcement Computer-Aided Dispatch	570,000	70,000
31	Regional Ambulance Service	-	40,000
32	Shared Electronic Fuel Dispensing	66,416	66,416
33	Consolidation of Water & Wastewater System	95,000	95,000
34	Public Transit Services Consolidation	1,924,455	702,250
35	Family Court Conflict Defender Swap	33,538	34,545
36	Village of Wappingers Falls & County Police Consolidation	582,000	582,000
37	Shared Highway Garage and Salt Shed	750,000	150,000
Total Savings		\$ 15,209,018	\$ 12,094,600

Financial Summary

The State requires Counties include a summary of projected savings to the average taxpayer, homeowner and business as part of this plan; however, making these projections outside of each municipalities' budget process, is simply inaccurate and projecting countywide tax savings as a percentage of one's individual property tax bill is impossible. Each homeowner and business are taxed based on their own unique assessed valuation and municipal assessed value, which can change year to year. Although the following County-Wide Shared Services Property Tax Savings Plan Summary document is the prescribed format for submission of the Tax Savings Plan to the Director of the New York State Division of the Budget as required by law, the numbers as presented cannot be accurate.



It is important to note that the State has a critical role in producing meaningful property tax relief. In Dutchess County, 70% of net county costs are for mandated programs and services. The remaining 30% is "optional spending," including crucial government functions such as health and mental health services, sheriff road patrols, road repair, snow removal, public transportation, 911 dispatch, and senior services. Dutchess County has been sharing services and containing costs for years (see appendix A, B & C), now the State needs to do their share to reduce mandated costs instead of simply blaming others.



County-Wide Shared Services Property Tax Savings Plan Summary

County of Dutchess			
County Contact: Jessica White			
Contact Telephone: 845-486-2010			
Contact Email: jwhite@dutchessny.gov			
Partners			
Row 1 – 2 Cities in Dutchess County			
	Participating Cities	Panel Representative	Vote Cast (Yes or No)
1.	City of Beacon	Mayor Randy Casale	
2.	City of Poughkeepsie	Mayor Robert Rolison	
Row 2 – 20 Towns in Dutchess County			
	Participating Towns	Panel Representative	Vote Cast (Yes or No)
1.	Town of Amenia	Supervisor Victoria Perotti	
2.	Town of Beekman	Supervisor Barbara Zulauf	
3.	Town of Clinton	Supervisor Raymond P. Oberly	
4.	Town of Dover	Supervisor Linda French	
5.	Town of East Fishkill	Supervisor John Hickman Jr.	
6.	Town of Fishkill	Supervisor Robert LaColla	
7.	Town of Hyde Park	Supervisor Aileen Rohr	
8.	Town of LaGrange	Supervisor Alan Bell	
9.	Town of Milan	Supervisor William Gallagher	
10.	Town of North East	Supervisor George Kaye	
11.	Town of Pawling	Supervisor David Kelly	
12.	Town of Pine Plains	Supervisor Brian J. Coons	
13.	Town of Pleasant Valley	Supervisor Mark Figliozzi	
14.	Town of Poughkeepsie	Supervisor Jon J. Baisley	
15.	Town of Red Hook	Supervisor Robert McKeon	
16.	Town of Rhinebeck	Supervisor Elizabeth Spinzia	
17.	Town of Stanford	Supervisor Joseph Norton	
18.	Town of Union Vale	Supervisor Patricia Tompkins	



County-Wide Shared Services Property Tax Savings Plan Summary

19.	Town of Wappinger	Supervisor Lori Jiava	
20.	Town of Washington	Supervisor Gary Ciferri	

Use Additional Sheets if necessary

Row 3 – 8 Villages in Dutchess County

Participating Villages		Panel Representative	Vote Cast (Yes or No)
1.	Village of Fishkill	Mayor James J. Miccio	
2.	Village of Millbrook	Mayor Rodney Brown	
3.	Village of Millerton	Mayor Debra Middlebrook	
4.	Village of Pawling	Mayor Robert Liffland	
5.	Village of Red Hook	Mayor Edward Blundell	
6.	Village of Rhinebeck	Mayor Gary Bassett	
7.	Village of Tivoli	Mayor Joel Griffith	
8.	Village of Wappingers Falls	Mayor Matthew Alexander	

Use Additional Sheets if necessary

Row 4 – 14 School Districts and BOCES in Dutchess County

Participating School Districts, BOCES, and Special Improvement Districts		Panel Representative	Vote Cast (Yes or No)
1.	Arlington CSD	Assistant Superintendent Kevin Sheldon	
2.	Rhinebeck CSD	Superintendent Joseph Phelan	
3.	Wappingers CSD	Kristen Crandall	
4.	Webutuk CSD	Raymond Castellani	
5.	BOCES	Richard Hooley	

Use Additional Sheets if necessary

Row 5

2017 Local Government Property Taxes	The sum total of property taxes levied in the year 2017 by the county, cities, towns, villages, school districts, and special improvement districts within such county.
	\$807,224,823

Row 6



County-Wide Shared Services Property Tax Savings Plan Summary

2017 Participating Entities Property Taxes	The sum total of property taxes levied in the year 2017 by the county, any cities, towns, villages, school districts, and special improvements districts identified as participating in the panel in the rows above.
	\$566,477,153
Row 7	
Total Anticipated Savings	The sum total of net savings in such plan certified as being anticipated in calendar year 2018, calendar year 2019, and annually thereafter.
	2018- \$15.2M, 2019- \$12.1M, Annually- \$12.5M
Row 8	
Anticipated Savings as a Percentage of Participating Entities property taxes	The sum total of net savings in such plan certified as being anticipated in calendar year 2018 as a percentage of the sum total in Row 6, calendar year 2019 as a percentage of the sum total in Row 6, and annually thereafter as a percentage of the sum total in Row 6.
	2018- 2.7%, 2019- 2.1%, Annually- 2.2%
Row 9	
Anticipated Savings to the Average Taxpayer	The amount of the savings that the average taxpayer in the county will realize in calendar year 2018, calendar year 2019, and annually thereafter if the net savings certified in the plan are realized.
	2018- \$144, 2019- \$114, Annually- \$118
Row 10	
Anticipated Costs/Savings to the Average Homeowner	The percentage amount a homeowner can expect his or her property taxes to increase or decrease in calendar year 2018, calendar year 2019, and annually thereafter if the net savings certified in the plan are realized.
	2018- 2.7%, 2019- 2.1%, Annually- 2.2%



County-Wide Shared Services Property Tax Savings Plan Summary

Row 11	
Anticipated Costs/Savings to the Average Business	The percentage amount a business can expect its property taxes to increase or decrease in calendar year 2018, calendar year 2019, and annually thereafter if the net savings certified in the plan are realized.
	2018- 2.7%, 2019- 2.1%, Annually- 2.2%
CERTIFICATION	
<p>I hereby affirm under penalty of perjury that information provided is true to the best of my knowledge and belief. This is the finalized county-wide shared services property tax savings plan. The county-wide shared services property tax savings plan was approved on _____, 2017, and it was disseminated to residents of the county in accordance with the County-wide Shared Services Property Tax Savings Law.</p>	
<u>Marcus J. Molinaro</u>	<u>County Chief Executive Officer</u>
(Print Name)	
_____	_____
(Signature)	(Date)

County-Wide Shared Services Tax Savings Plan

Project Name: 1. Salt Purchasing Cooperative

Municipalities Participating:

Dutchess County; Cities of Beacon, Poughkeepsie; Towns of Amenia, Clinton, Dover, East Fishkill, Hyde Park, LaGrange, Milan, North East, Pawling, Pleasant Valley, Pine Plains, Poughkeepsie, Red Hook, Rhinebeck, Union Vale, Wappinger, Washington; Villages of Rhinebeck, Millerton; & Dutchess County BOCES, Rhinebeck CSD, and Wappingers CSD

Project Description:

Dutchess County completed a bid for its salt purchasing needs and has allowed Municipalities to jointly purchase through the County vendor in order to realize economies of scale and take advantage of the \$75/ton rate that the County was able to secure, which was significantly lower than the original price of the New York State OGS bid.

	2018	2019
Projected Savings:	\$ 608,132	\$ 622,315

County-Wide Shared Services Tax Savings Plan

Project Name: 2. Shared Paving via County

Municipalities Participating:

Dutchess County; City of Beacon; Towns of Clinton, Dover, East Fishkill, Fishkill, Hyde Park, LaGrange, Milan, Pine Plains, Pleasant Valley, Poughkeepsie, Red Hook, Union Vale, Wappinger, Washington; & Villages of Rhinebeck and Wappingers Falls

Project Description:

Dutchess County issues a bid for a various paving materials and several municipalities have agreed to purchase from the County vendor in order to take advantage of the negotiated rates. Materials for purchase include:

- Item D-450.10 HMA Type 1 Base Course (NYSDOT Item 403.118902)
- Item D-450.30 HMA Type 3 Binder Course (NYSDOT Item 403.138902)
- Item D-450.50 HMA Type 5 Shim Course (NYSDOT Item 403.158902)
- Item D-450.60 HMA Type 6 Top Course (NYSDOT Item 403.178902)
- Item D-450.6F HMA Type 6F2 Top Course (NYSDOT Item 403.178202)
- Item D-450.70 HMA Type 7 Top Course (NYSDOT Item 403.198902)
- Item D-450.7F HMA Type 7F2 Top Course (NYSDOT Item 403.198202)

	2018	2019
Projected Savings:	\$ 200,121	\$ 211,310

County-Wide Shared Services Tax Savings Plan

Project Name: 3. Highway Equipment Rental via County

Municipalities Participating:

Dutchess County; Cities of Beacon, Poughkeepsie; Towns of Amenia, Clinton, East Fishkill, Fishkill, Hyde Park, LaGrange, Milan, Pleasant Valley, Union Vale, Wappinger; Villages of Rhinebeck, Tivoli, Wappingers Falls; & Dutchess County BOCES

Project Description:

Dutchess County issues a bid for various highway equipment rentals. These rentals include hourly, daily, and weekly rates for many types of equipment with and without operators. Several municipalities have agreed to purchase from the County vendor in order to take advantage of the negotiated rates.

	2018	2019
Projected Savings:	\$ 27,685	\$ 26,760

County-Wide Shared Services Tax Savings Plan

Project Name: 4. Dutchess Delivery Shared Electronic Communication & Outreach

Municipalities Participating:

Dutchess County; City of Beacon; Towns of Dover, East Fishkill, Hyde Park, LaGrange, Milan, Pine Plains, Pleasant Valley, Poughkeepsie, Red Hook, Union Vale, Wappinger, Washington; Villages of Rhinebeck, Tivoli; & Rhinebeck CSD

Project Description:

Dutchess Delivery provides a platform for shared public outreach, electronic communication and community engagement. Electronic Communication development includes needs assessment and evaluation of current electronic communications, necessary graphics, template build, and training. If needed, coding of web pages ("Page Watch") will be included. Residents would receive e-mails or text messages on information advisories for topics they subscribe to.

	2018	2019
Projected Savings:	\$ 229,071	\$ 204,571

County-Wide Shared Services Tax Savings Plan

Project Name: 5. County Procurement Specialist

Municipalities Participating:

Dutchess County; Towns of Amenia, Beekman, East Fishkill, Hyde Park, Red Hook, Union Vale, Wappinger; & Villages of Red Hook, Rhinebeck, and Wappingers Falls

Project Description:

Provide procurement assistance to municipalities as follow:

- Assist in the development of bid specifications;
- Provide professional opinion and research related to bid proposals;
- Single point of contact for all related questions regarding bids;
- Post all bids on the Empire State Purchasing Group web portal through BidNet;
- Post all addenda and questions regarding bids;
- Provide information as to the number of downloads etc.;
- Bid proposals would be opened by the municipality;
- Provide assistance in reviewing the bid responses and the tabulation of results;
- Municipality would make the award;
- Provide guidance and assistance during the RFP evaluation phase;
- Provide the evaluation criteria spreadsheet for RFP's;
- Act as a coordinator for the opportunity to conduct cooperative purchasing;
- Contact municipalities as to the availability to participate in County cooperative purchasing opportunities (this will provide increased savings for commodities and services due to bulk purchasing);
- Coordinate cooperative purchasing opportunities among the municipalities;
- Assist in research regarding the opportunity to piggyback off other municipal bids and RFP's providing administrative savings; and
- Provide advice and assistance as to the opportunity to purchase off of State Contract.

*bids also refers to RFP's and quotes

Additionally, municipalities will be given the opportunity to participate in the County auctions at no cost to the municipality.

	2018	2019
Projected Savings:	\$ 78,894	\$ 99,025

County-Wide Shared Services Tax Savings Plan

Project Name: 6. Motor Vehicle Repair

Municipalities Participating:

Dutchess County; City of Poughkeepsie; Towns of Clinton, Hyde Park, Pawling, Poughkeepsie; & Village of Rhinebeck

Project Description:

Dutchess County, the Town of Poughkeepsie, and the City of Poughkeepsie all maintain an auto service repair shop where they maintain their fleet of vehicles. These three providers will offer auto repair services on a fee for service basis to various municipalities. Labor rates are as low as \$60/hr and parts can be offered at cost, which includes a discounted purchase rate due to low contracted prices secured through competitive bids.

	2018	2019
Projected Savings:	\$ 35,042	\$ 35,918

County-Wide Shared Services Tax Savings Plan

Project Name: 7. Microsoft Office 365 Maintenance and Administration

Municipalities Participating:

Dutchess County; City of Beacon; Town of Red Hook; & Villages of Millbrook and Red Hook

Project Description:

"Office 365" refers to subscription plans that include access to Office applications plus other productivity services that are enabled over the Internet (cloud services). Office 365 plans for government include services such as Skype for Business web conferencing and Exchange Online hosted email for business, and additional online storage with One Drive.

Many Office 365 plans also include the desktop version of the latest Office applications, which users can install across multiple computers and devices. The fully installed applications include: Word, Excel, PowerPoint, OneNote, Outlook, Publisher, and Access. (Publisher and Access are available on PC only.) And you can install them across multiple devices, including PCs, Macs, Android tablets, Android phones, iPad, and iPhone. When you have an active Office 365 subscription that includes the desktop version of Office, you always have the most up-to-date version of the applications.

All Office 365 plans are paid for on a subscription basis.

Microsoft Office 365 implementation and administration services offered through the County. This will reduce cost to the municipality by avoiding the need for in house staff for the administration of Microsoft Office 365.

	2018	2019
Projected Savings:	\$ 9,887	\$ 10,037

County-Wide Shared Services Tax Savings Plan

Project Name: 8. Website Development and Maintenance

Municipalities Participating:

Dutchess County; Cities of Beacon, Poughkeepsie; Towns of Amenia, Beekman, East Fishkill, Hyde Park, LaGrange, Pine Plains, Poughkeepsie, Red Hook, and Wappinger

Project Description:

Dutchess County Office of Central and Information Services (OCIS) is pleased to offer municipalities proposals to design, develop and host municipal websites. As part of the website, OCIS would incorporate advanced features from the County's award winning Website as well as new features developed specifically for municipal sites.

Website development includes site evaluation, needs assessment responsive (mobile friendly) site build (template pages), necessary graphics work, Online calendar, public alerts, InfoAccess (GIS application), training and the ability to update pages via Content Management System. All development projects will begin with an interview process where the County's Office of Central and Information Services Department (OCIS) will explore and establish goals for the site and uncover features that the municipality may not currently have on the site that they would like. OCIS will also start to identify who will make updates to the municipality site and what a work flow may look like.

	2018	2019
Projected Savings:	\$ 83,465	\$ 89,085

County-Wide Shared Services Tax Savings Plan

Project Name: 9. Tyler Technology Public Safety Software

Municipalities Participating:

Dutchess County; Cities of Beacon and Poughkeepsie

Project Description:

Tyler Technology Public Safety Software will be utilized to leverage the County's Infrastructure and multi-jurisdictional software license. It will significantly reduce the municipalities computer infrastructure cost by having one system hosted at the County's computer center.

This integration will improve situational awareness and greatly enhance public safety for the citizens of Dutchess County.

	2018	2019
Projected Savings:	\$ 98,700	\$ 98,700

County-Wide Shared Services Tax Savings Plan

Project Name: 10. Worker's Compensation Pool

Municipalities Participating:

Dutchess County; Cities of Beacon, Poughkeepsie; Towns of Amenia, B ekman, Dover, Milan, Pawling, Pleasant Valley, Poughkeepsie, Red Hook, Rhinebeck, Union Vale, Wappinger, Washington; & Villages of Pawling, and Red Hook

Project Description:

Dutchess County implemented a cost savings initiative that extended participation in our self-insured Workers' Compensation Plan to local municipalities. This initiative provides savings for the County and local municipalities by pooling risk and providing plan premiums for members that are lower than rates found on the open market.

	2018	2019
Projected Savings:	\$ 3,742,782	\$ 3,739,532

County-Wide Shared Services Tax Savings Plan

Project Name: 11. Drug Task Force

Municipalities Participating:

Dutchess County and all municipalities

Project Description:

The Dutchess County Drug Task Force (DCTF) is an undercover unit concerned with the sale and distribution of narcotics (drug crimes) throughout Dutchess County. The DCTF consists of officers assigned by Dutchess County, City of Poughkeepsie, City of Beacon, Town of East Fishkill and Town of Poughkeepsie and reports to the Dutchess County District Attorney's Office. The county-wide nature of the DCTF means each municipality does not have to invest resources in drug enforcement activities.

	2018	2019
Projected Savings:	\$ 3,526,410	\$ 3,526,410

County-Wide Shared Services Tax Savings Plan

Project Name: 12. Crisis Intervention Training

Municipalities Participating:

Dutchess County; Cities of Beacon, Poughkeepsie; Towns of East Fishkill, Fishkill, Hyde Park, Pine Plains, Poughkeepsie, & Villages of Fishkill, Millbrook, Millerton, Red Hook, Rhinebeck, and Wappingers Falls

Project Description:

Police officers will receive 40 hours of training on how to effectively respond to individuals experiencing crisis situations. The training will provide officers with the knowledge and tools necessary to help identify, intervene, de-escalate, and divert individuals from inpatient hospitalization and the criminal justice system to community organizations that can address their needs. Research suggests savings from diverted hospitalizations and reduced legal bookings. Shared training provides significant savings in training expenses.

	2018	2019
Projected Savings:	\$ 106,500	\$ 95,500

County-Wide Shared Services Tax Savings Plan

Project Name: 13. Shared Court Facilities (A)

Municipalities Participating:

Town of Red Hook & Village of Red Hook

Project Description:

The Town and Village currently have three elected judges and one appointed Acting Judge, four part-time clerks, two court locations with separate offices, computer systems, and storage spaces. The Town's Judicial Court costs are approx. \$126,000 and the Village expends \$131,000 annually.

We are looking to study, develop and implement a shared use of facilities and staff. This will save staff costs through consolidation and provide better service to all residents.

	2018	2019
Projected Savings:	\$ 44,000	\$ 44,000

County-Wide Shared Services Tax Savings Plan

Project Name: 14. Shared Court Facilities (B)		
Municipalities Participating: Town of Rhinebeck & Village of Rhinebeck		
Project Description: The Town has two elected judges, two part-time clerks, and one special prosecutor. The Village has one elected judge, one appointed associate judge, and one full time clerk. The Town and Village have separate offices, courtrooms, computer systems, and record storage spaces. We will study all aspects of judicial functions including, but not restricted to, the following: use of Village and Town municipal space for offices; storage and court services; requirements for timely execution of judicial cases by the State and County and the ability to provide effective service to the Village and Town; effective use of police (Village, County and State) for consolidation of service and overtime; consolidation of information technology services for judicial courts for the Village and Town; and the duties and responsibilities of each clerk in comparison to other municipalities in the County with similar case loads. We want a recommendation of how we could consolidate administration of two courts (judges, clerks, office space, record storage space, and court) and how the costs to support a new joint Town/Village court administration would be shared by each municipality. We would require the study to enumerate steps for proposed time line (taking into account election cycles for judges and municipal budget schedules.) We would like for the justices, clerks, supervisor, mayor, board liaisons to the court, and special prosecutor to participate in the study. We will compare the total amount currently budgeted in the Town (\$94,684) and Village (\$89,108) budgets with what would be allotted for the new model. Additionally, as space is at a premium in both municipalities, even a physical consolidation would be a major savings.		
	2018	2019
Projected Savings:	\$ 60,000	\$ 60,000

County-Wide Shared Services Tax Savings Plan

Project Name: 15. Municipal Solar Farm

Municipalities Participating:

Town of Red Hook; Villages of Red Hook, and Tivoli

Project Description:

The Town of Red Hook and the two villages are seeking to take advantage of the new Community Distributed Generation rules and develop a solar farm array on the Village of Red Hook's well-fields, proximate to the Central Hudson grid for an inter-connect.

We see the project as producing both cost savings and cost avoidance. We will be able to produce solar power and avoid any future energy cost increases. Plus, protect against climate change and the immeasurable costs of greenhouse gas production. The three municipal offices and their infrastructure (water pumping) will be customers of the supply capacity as will local schools and cultural facilities.

With the shared approach Village of Red Hook, landowner, can offer land value and access to the necessary three phase wiring in the grid. Town of Red Hook can offer expertise, project coordination, and zoning oversight since the land zoning is in the Town of Red Hook.

These factors will enable the parties to avoid land acquisition costs (while protecting Village of Red Hook well-fields).

	2018	2019
Projected Savings:	\$ 493,000	\$ 13,000

County-Wide Shared Services Tax Savings Plan

Project Name: 16. Financial Management Software Training

Municipalities Participating:

Towns of Beekman, Pawling, Pine Plains, Washington; Villages of Millbrook, Millerton, Tivoli; & Rhinebeck Central School District

Project Description:

KVS Enterprise training offers classroom style training via webex. By sharing the cost of the training, savings will be realized.

	2018	2019
Projected Savings:	\$ 2,057	\$ 0

County-Wide Shared Services Tax Savings Plan

Project Name: 17. Shared Fuel Farm (A)

Municipalities Participating:

Town of North East; Village of Millerton; & Webutuck CSD

Project Description:

The proposed project involves the utilization of the existing Webutuck Central School District Fuel Management System to store, dispense, and provide accounting for all diesel and gas utilized by the three (3) participating entities.

Currently the Town of North East has a pair of undersized, outdated and non-compliant above ground fuel storage tanks located at the existing Town highway garage facility located immediately adjacent to a trout stream. Due to the growing fleet of vehicles along with the environmental non-compliance issues, the tanks will need to be replaced in the near future. Rather than replace the old tanks, the Town of Northeast would utilize the Webutuck Fuel Management System to serve the Highway Department needs. This will result in a savings to the the Town by allowing the Town to eliminate the existing tanks and avoid the replacement cost. This also removes an existing environmental concern with fuel storage at the highway garage site next to the existing trout stream. The Town would gain an additional savings by avoiding the annual bid process in obtaining fuel pricing.

The Village of Millerton currently buys gasoline from a local vendor at retail prices. The Village utilizes two existing above grade diesel fuel tanks that are undersized, outdated and non-compliant with NYSDEC standards. The diesel tanks are located at the existing Village of Millerton Department of Public Works (DPW) Building that is located over the primary groundwater aquifer that provides drinking water to the Village of Millerton municipal water system that serves both the Town of North East and the Village of Millerton. Due to the environmental non compliance issues, the tanks will need to be replaced in the near future. Rather than replace the old tanks, the Village of Millerton would utilize the Webutuck Fuel Management System to serve the Village's Police Department and Village DPW needs. This will result in a savings to the the Village by allowing the Village to do away with their existing tanks and avoiding the cost of replacing the existing tanks at the the DPW Facility. This also removes an existing environmental concern with fuel storage over an aquifer. The Village would gain an additional savings by avoiding the annual fuel bid process.

	2018	2019
Projected Savings:	\$ 73,200	\$ 2,000

County-Wide Shared Services Tax Savings Plan

Project Name: 18. Share Fuel Farm (B)						
Municipalities Participating: Town of Red Hook; Villages of Red Hook, and Tivoli						
Project Description: The Town of Red Hook currently maintains an informal arrangement with the Villages of Red Hook, and Tivoli, as well as both Fire Companies (Tivoli and RH) to share their fuel farm. This arrangement saves taxpayers and those entities the costs for constructing and maintaining separate stations. The Villages would otherwise partner with their Fire Companies to provide this service, eliminating the need to construct 2 new additional facilities. Cost Avoidance: <table style="margin-left: 40px; margin-top: 10px;"> <tr> <td style="padding-left: 20px;">Construction of RH Village and Fire Co. Fuel Station -</td> <td style="text-align: right; padding-right: 20px;">103 ,000</td> </tr> <tr> <td style="padding-left: 40px;">Tivoli Village and Fire Co. -</td> <td style="text-align: right; padding-right: 20px;">98,000</td> </tr> </table>			Construction of RH Village and Fire Co. Fuel Station -	103 ,000	Tivoli Village and Fire Co. -	98,000
Construction of RH Village and Fire Co. Fuel Station -	103 ,000					
Tivoli Village and Fire Co. -	98,000					
	2018	2019				
Projected Savings:	\$ 201,000	\$ 0				

County-Wide Shared Services Tax Savings Plan

Project Name: 19. Laserfiche Electronic Content Management User Group

Municipalities Participating:

Towns of Amenia, Beekman, Dover, North East; & Rhinebeck CSD

Project Description:

Municipal electronic records management has become an essential resource for communities to break down departmental “silos” of information and to serve the public’s interest in transparent and efficient government operations.

Laserfiche Electronic Content Management System (ECMS) user / administrative training costs for annual training sessions is prohibitive for most communities on their own. By offering joint training, we can reduce training costs. Maintenance costs do not include training or administrative technical assistance or support.

Dutchess County communities with a Laserfiche ECMS can collaborate and share the cost of annual user and administrative ECMS scheduled training sessions. The Town of Dover offers to serve as the local resource to help coordinate the Dutchess County Laserfiche ECMS User Group (at no cost to this project). The creation of a Dutchess County Laserfiche ECMS User Group will reduce cost through shared training, as well as, improve administration knowledge and use of systems.

	2018	2019
Projected Savings:	\$ 8,000	\$ 8,000

County-Wide Shared Services Tax Savings Plan

Project Name: 20. Sports field - Infield Mix

Municipalities Participating:

City of Beacon; Towns of Amenia, Beekman, Clinton, Dover, Fishkill, LaGrange, Milan, Pleasant Valley, Red Hook; Villages of Millerton, Tivoli; & Arlington CSD

Project Description:

RFQ for Sports Field Infield Mix. By buying in bulk, we can leverage a total quantity at a reduced cost.

We anticipate additional Municipalities and School Districts to sign on in subsequent years due to the demonstrated savings.

	2018	2019
Projected Savings:	\$ 14,500	\$ 20,000

County-Wide Shared Services Tax Savings Plan

Project Name: 21. Sports field - Permanent Synthetic Marking

Municipalities Participating:

City of Beacon; Towns of Amenia, Beekman, Dover, Milan, & Pleasant Valley

Project Description:

Painting lines on sports fields is a weekly task requiring resources that could be better utilized elsewhere. The installation of a permanent synthetic marking system designed specifically for grass fields produces compound savings. Additional savings would be realized by using the labor hours saved, by the maintenance staff, to perform other work that would be otherwise outsourced at prevailing wage.

	2018	2019
Projected Savings:	\$ 168,240	\$ 171,605

County-Wide Shared Services Tax Savings Plan

Project Name: 22. Workplace Violence/ Defensive Driving Training		
Municipalities Participating: Town of Washington & Village of Millbrook		
Project Description: By having a joint training for workplace violence and defensive driving, we save the cost of multiple training sessions.		
	2018	2019
Projected Savings:	\$ 1,000	\$ 1,000

County-Wide Shared Services Tax Savings Plan

Project Name: 23. Shared Municipal Sewer Supply

Municipalities Participating:

Town of East Fishkill & Wappingers CSD

Project Description:

Create a consolidated sewer district which services commercial business on Route 52 as well as John Jay High School. This will permit the school district to decommission their sewer plant thereby avoiding operations and capital expenses. In speaking to engineers and school representatives, the John Jay Sewer Plant is at an age where, to continue service, in the next few years, it will require significant capital improvements.

	2018	2019
Projected Savings:	\$ 350,000	\$ 50,000

County-Wide Shared Services Tax Savings Plan

Project Name: 24. Public Access Channel - P.A.N.D.A.

Municipalities Participating:

Towns of Red Hook, Rhinebeck; Villages of Red Hook, Rhinebeck, and Tivoli

Project Description:

The five municipalities will formalize an agreement to operate a joint Public Access channel that includes recording and airing municipal meetings. These five municipalities would otherwise have to provide their own studios and broadcast technology.

	2018	2019
Projected Savings:	\$ 681,369	\$ 189,369

County-Wide Shared Services Tax Savings Plan

Project Name: 25. Shared Skid Steer Purchase

Municipalities Participating:

Towns of Milan & North East

Project Description:

The towns of Milan and North East intend to jointly purchase a Skid Steer with various attachments. The machine will be used for moving pallets, stump grinding, milling/planing asphalt, sweeping, and general loading/grading work.

While the machine itself is versatile enough to be used every day, the towns individually do not have enough of a demand to use it every day, therefore making this a suitable piece of equipment for sharing. In addition, owning the machine versus renting one allows the towns to be more flexible in their scheduling as the machine will be readily available and can be used for brief periods throughout the year, increasing the level of service provided to the residents.

	2018	2019
Projected Savings:	\$ 96,675	\$ 0

County-Wide Shared Services Tax Savings Plan

Project Name: 26. Public Safety Dispatch Consolidation

Municipalities Participating:

Dutchess County & City of Poughkeepsie

Project Description:

Conduct a comprehensive study of the City's dispatch operations, which will include a fiscal analysis and a restructuring plan, including potential shared services and consolidation opportunities within the City and with Dutchess County.

	2018	2019
Projected Savings:	\$ 0	\$ 653,323

County-Wide Shared Services Tax Savings Plan

Project Name: 27. Consolidation of Firehouses		
Municipalities Participating: City of Beacon		
Project Description: Consolidation of three existing firehouses into a single central fire station.		
	2018	2019
Projected Savings:	\$ 0	\$ 135,050

County-Wide Shared Services Tax Savings Plan

Project Name: 28. Highway Departments Shared Services (A)		
Municipalities Participating: Town of Red Hook; Villages of Red Hook, and Tivoli		
Project Description: Develop and implement standardized procedures for administration and asset management, inventorying, and development of a shared purchasing program.		
	2018	2019
Projected Savings:	\$ 60,000	\$ 60,000

County-Wide Shared Services Tax Savings Plan

Project Name: 29. Highway Department Shared Services (B)		
Municipalities Participating: Town of Rhinebeck & Village of Rhinebeck		
Project Description: Consolidated core tasks of the highway and maintenance departments to optimize operating costs, and reduce redundant equipment, administrative, training, and material costs.		
	2018	2019
Projected Savings:	\$ 187,880	\$ 187,880

County-Wide Shared Services Tax Savings Plan

Project Name: 30. Law Enforcement Computer-Aided Dispatch		
Municipalities Participating: Dutchess County & Town of Poughkeepsie		
Project Description: Upgrade and consolidate the Town's law enforcement dispatch system with the County's dispatch system.		
	2018	2019
Projected Savings:	\$ 570,000	\$ 70,000

County-Wide Shared Services Tax Savings Plan

Project Name: 31. Regional Ambulance Service

Municipalities Participating:

Dutchess County; Towns of Amenia, Dover, North East; & Village of Millerton

Project Description:

Create a joint regional ambulance service to ensure consistent, quality service for all participating entities.

	2018	2019
Projected Savings:	\$ 0	\$ 40,000

County-Wide Shared Services Tax Savings Plan

Project Name: 32. Shared Electronic Fuel Dispensing

Municipalities Participating:

Dutchess County & Town of Clinton

Project Description:

Creation of a shared vehicle fueling depot which will create efficiencies via shared purchasing and operations as well as increased accountability resulting from electronic monitoring.

	2018	2019
Projected Savings:	\$ 66,416	\$ 66,416

County-Wide Shared Services Tax Savings Plan

Project Name: 33. Consolidation of Water and Wastewater System

Municipalities Participating:

Dutchess County WWA & Village of Tivoli

Project Description:

Transfer of ownership of the Village's water and wastewater system to the Dutchess County Water and Wastewater Authority which will allow the system to improve operations and make essential capital improvements which will be required in the next 5-20 years

	2018	2019
Projected Savings:	\$ 95,000	\$ 95,000

County-Wide Shared Services Tax Savings Plan

Project Name: 34. Public Transit Services Consolidation

Municipalities Participating:

Dutchess County & City of Poughkeepsie

Project Description:

Starting July 1, 2017, Dutchess County will provide four (4) new service routes in the City and Town of Poughkeepsie. These routes provide service to residents who previously utilized the City of Poughkeepsie bus service which ceased operation on June 30th, 2017. The new expanded hours of operation are 6:30 a.m. through 11:30 p.m. Monday through Saturday and limited service to and from the Galleria and Shoppes at South Hills on Sunday. The new service runs longer, allowing residents to use the bus for work and social trips throughout the City six days a week. Schedules are available online (CJ, CK, CL, CM and Sunday A, B, H & F).

The expansion of the Dutchess County Public Transit provides enhanced transit services with greater efficiency at a lower cost to taxpayers. This consolidation eliminates the duplication of service that has existed with two overlapping public transit services in use. The County's expansion aligns with the County's goals of consolidation and shared services while providing necessary transit services to residents.

The City was non-compliant and was not eligible for State or Federal funding and have not drawn down funds since 2015. The cost savings below assumes they would hire staff and work on becoming compliant in 2018 and be able to draw down State and Federal funding by 2019 which is what would need to happen if they had decided to keep and run their bus service.

	2018	2019
Projected Savings:	\$ 1,924,455	\$ 702,250

County-Wide Shared Services Tax Savings Plan

Project Name: 35. Family Court Conflict Defender Swap

Municipalities Participating:

Counties of Ulster and Dutchess

Project Description:

Both Dutchess and Ulster Counties will hire full-time Assistant Public Defenders to represent clients where a conflict exists. Ulster County will provide conflict defense in Dutchess County Family Court for approximately 150 cases and Dutchess County will provide the same for Ulster County.

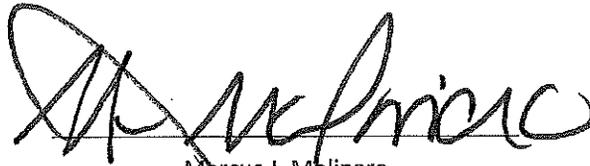
Dutchess and Ulster Counties are also looking at other shared services in public defense in the area of night arraignment and will move forward on a night arraignment swap arrangement if it is practical and produces savings for both counties.

	2018	2019
Projected Savings:	\$ 33,538	\$ 34,545

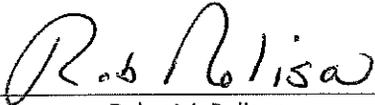
Plan Certification

We, the municipal leaders of Dutchess County, recognize the importance of shared services, the elimination of duplicative services, consolidation, and improved efficiencies in an effort to reduce the burden on property taxpayers, and have worked diligently to this end for many years, as evidenced by the County's Municipal Innovation Grant Program and annual County-Wide Shared Services Summit.

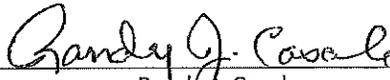
As required by the 2017-2018 New York State Budget, we have developed a County-Wide Shared Services Property Tax Savings plan. The below signed parties do hereby certify the attached plan, as prepared by Dutchess County and its two cities, twenty towns, and eight villages.



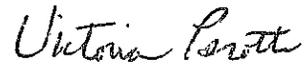
Marcus J. Molinaro
Dutchess County Executive



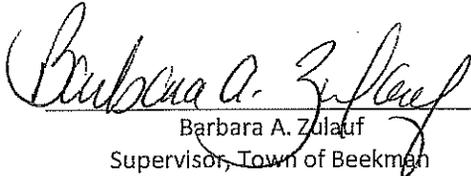
Robert J. Rolison
Mayor, City of Poughkeepsie



Randy J. Casale
Mayor, City of Beacon



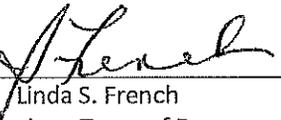
Victoria Perotti
Supervisor, Town of Amenia



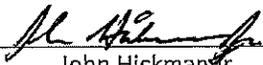
Barbara A. Zulauf
Supervisor, Town of Beekmantown



Raymond P. Oberly
Supervisor, Town of Clinton



Linda S. French
Supervisor, Town of Dover



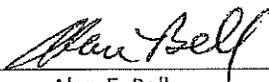
John Hickman Jr.
Supervisor, Town of East Fishkill



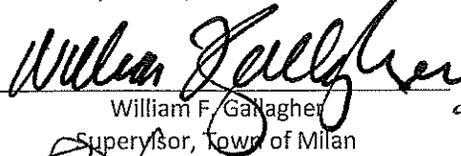
Robert LaColla
Supervisor, Town of Fishkill



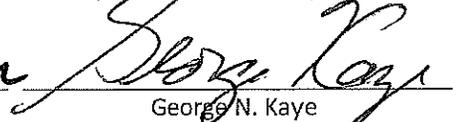
Aileen M. Rohr
Supervisor, Town of Hyde Park



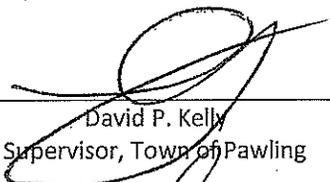
Alan E. Bell
Supervisor, Town of Lagrange



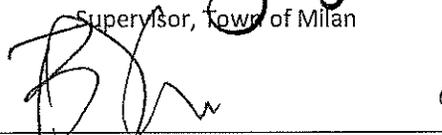
William F. Gallagher
Supervisor, Town of Milan



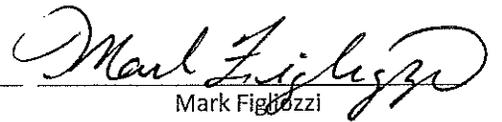
George N. Kaye
Supervisor, Town of North East



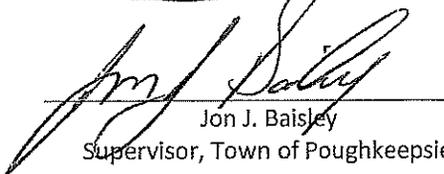
David P. Kelly
Supervisor, Town of Pawling



Brian J. Coons
Supervisor, Town of Pine Plains



Mark Figliozzi
Supervisor, Town of Pleasant Valley



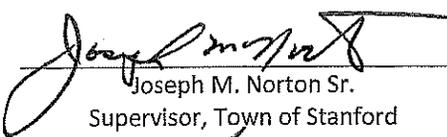
Jon J. Baisley
Supervisor, Town of Poughkeepsie



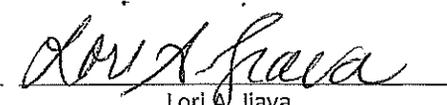
Robert McKeon
Supervisor, Town of Red Hook

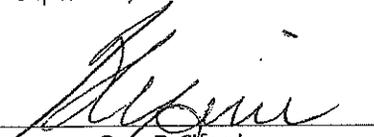


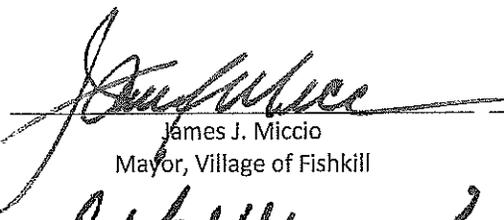
Elizabeth Spinzia
Supervisor, Town of Rhinebeck

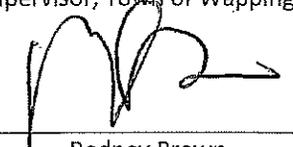

Joseph M. Norton Sr.
Supervisor, Town of Stanford

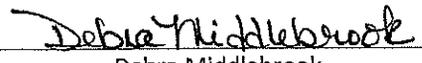

Patricia Tompkins
Supervisor, Town of Union Vale

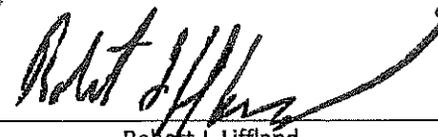

Lori A. Jiava
Supervisor, Town of Wappinger

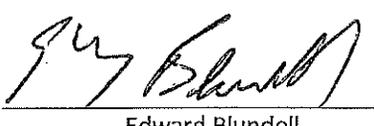

Gary E. Ciferri
Supervisor, Town of Washington


James J. Miccio
Mayor, Village of Fishkill

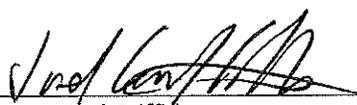

Rodney Brown
Mayor, Village of Millbrook

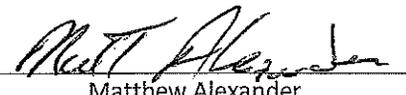

Debra Middlebrook
Mayor, Village of Millerton


Robert J. Liffland
Mayor, Village of Pawling


Edward Blundell
Mayor, Village of Red Hook


Gary Bassett
Mayor, Village of Rhinebeck


Joel Griffith
Mayor, Village of Tivoli


Matthew Alexander
Mayor, Village of Wappingers Falls

Appendix A:

Municipal Consolidation and Shared Services Grant & Municipal Innovation Grant Program Awards

Lead Applicant	Project Name	Award
City of Beacon	Electronic Document and Meeting Management	\$86,734
City of Beacon	Implementation Plan to Consolidate Firehouses	\$30,000
City of Beacon	Tri-Municipal Sewer Services Evaluation	\$200,000
City of Beacon	City of Beacon, Town of Fishkill and Village of Fishkill Police Consolidation Plan	\$90,000
City of Beacon	City of Beacon Consolidation of Firehouses	\$200,000
City of Beacon	Consolidation of Firehouses - Final Design and Construction Documents	\$250,000
City of Beacon	Shared Municipal Complex - Site Study	\$142,000
City of Beacon	Drug Task Force	\$563,821
City of Poughkeepsie	Fallkill Pedestrian Bridge Project	\$30,595
City of Poughkeepsie	Market Street Regional Transit Hub	\$80,000
City of Poughkeepsie	Municipal Waste Water Treatment System Upgrade	\$237,382
City of Poughkeepsie	Utility Software Upgrade Project	\$130,000
City of Poughkeepsie	Crisis Intervention Training- Dutchess County Joint Applications	\$246,340
City of Poughkeepsie	Development of Fiscal Improvement Plan	\$40,000
City of Poughkeepsie	Public Safety Dispatch Consolidation	\$75,000
City of Poughkeepsie	DPW Restructuring & Consolidation Study	\$75,000
City of Poughkeepsie	Crisis Intervention Team (CIT) Project Phase II	\$198,750
City of Poughkeepsie	Streamlining Land Use Development Process	\$30,000

Hyde Park Fire and Water District	Consolidation of the Hyde Park Fire and Water District and the Staatsburg Fire District	\$15,000
Town of Amenia	Regional Ambulance Services Study	\$40,000
Town of Beekman	Shared Assessor Services	\$25,000
Town of Clinton	Shared Electronic Fuel Dispensing System	\$16,180
Town of Clinton	Municipal Shared Highway Equipment	\$70,000
Town of Dover	Consolidation of IT Services and ECMS Implementation	\$58,500
Town of East Fishkill	John Jay Sewer Improvement Area Engineering and Construction	\$100,000
Town of Hyde Park	Cloud Based Building, Permitting, Code Enforcement, Planning, Zoning Collaboration Software	\$257,205
Town of Hyde Park	Streamlining Land Use Development Process	\$50,000
Town of Hyde Park	Shared Commercial Sewer District Expansion Study	\$75,000
Town of Milan	Municipal Shared Highway Equipment	\$265,000
Town of Milan	Municipal Shared Highway Equipment	\$194,863
Town of Pawling	Shared Fuel Farm	\$48,720
Town of Pine Plains	Codification of Local Laws	\$16,459
Town of Pleasant Valley	Sports Field - Infield Mix & Permanent Synthetic Marking (Joint Procurement)	\$43,400
Town of Poughkeepsie	Automated Salt Spreader Project	\$357,000
Town of Poughkeepsie	Consolidated Salt Spreading Operations	\$63,000
Town of Poughkeepsie	Law Enforcement Computer-Aided Dispatch Upgrade and Consolidation	\$280,000
Town of Poughkeepsie	Shared Municipal/Fire District Facility Study	\$150,000
Town of Red Hook	Highway Shared Services Program	\$79,000
Town of Red Hook	Municipal Shared Solar Farm	\$45,000
Town of Red Hook	Shared Court Facilities Study	\$30,000

Town of Rhinebeck	Inter-Municipal Shared Technology Services	\$71,756
Town of Rhinebeck	Consolidation of Rhinebeck Highway and Maintenance Departments Study	\$45,000
Town of Rhinebeck	Streamlining Land Use Development Process	\$30,000
Town of Rhinebeck	Shared Court Facilities Study	\$30,000
Town of Wappinger	Emergency Services Building Improvements	\$145,000
Village of Millbrook	Visual Inspection of Sewer and Storm Water Infrastructure	\$66,000
Village of Red Hook	Implementation of Recommendations from Highway Shared Services Study	\$81,250
Village of Tivoli	Water and Wastewater System Transfer Feasibility Study	\$80,000
Village of Wappingers Falls	Tri-Muni Waste Water Treatment System Upgrades	\$200,000
Village of Wappingers Falls	Tri-Municipal Wastewater Treatment Aeration System Upgrades	\$200,000
Village of Wappingers Falls	Tri-Municipal Wastewater Treatment Aeration System Upgrades	\$100,000
Village of Wappingers Falls	Shared Services & Water Infrastructure Consolidation Study	\$120,000

Appendix B:

Existing County Led Shared Services Efforts

911 Dispatch

The Dutchess County Department of Emergency Response maintains an inter-municipal agreement with the City of Poughkeepsie to provide backup services between agencies. The County and the City of Poughkeepsie maintain 911 Communication Centers. If either center's call receiving capabilities are exceeded or a 911 call cannot be answered there is an automated system in place to have the call answered by either center.

The Department of Emergency Response maintains and administers the county-wide enhanced 911 system. The system provides emergency dispatch to 37 Fire Agencies, 5 Ambulance agencies and 13 Police agencies within Dutchess County. This integrated system utilizes the latest telecommunications technology. This centralized dispatch operation allows resources to be deployed more quickly for a coordinated and efficient response.

Automotive Fuel Acquisition

The County purchases fuel, tax free, from a New York State contract and can pass this savings onto Municipalities and Special Districts (e.g. fire departments, school districts.) Nine fuel dispensing sites with drive up gas pumps for vehicles to utilize are maintained by the Dutchess County Department of Public Works.

Consolidated Copier Program

The Office of Central and Information Services (OCIS), Division of Central Services, offers a cost-saving centralized photocopier contract to Municipalities and Special Districts (e.g. fire departments, school districts.) The contract includes the lease price for the equipment, maintenance and repair, and all supplies needed for copier operation (excluding paper).

County Bulk Supply Purchasing

The Office of Central and Information Services (OCIS), Division of Central Services operates a warehouse of expendable supplies that are purchased in bulk at a discounted rate. Items that are used in the day-to-day operation of County departments are also readily available from our warehouse to Municipalities and Special Districts (e.g. fire departments, school districts) under the County's cost-saving contract.

Printing & Copying

A full service print shop, consisting of offset presses and photocopiers, is professionally operated and maintained by the Office of Central and Information Services (OCIS), Division of Central Services. In conjunction, Central Services maintains an online ordering system that includes file upload and print selection options. Municipalities and Special Districts (e.g. fire

departments, school districts) are encouraged to take advantage of the various cost-saving, professional print services offered by Dutchess County.

Purchasing & Contract Administration

The Office of Central and Information Services (OCIS), Division of Central Services coordinates the procurement of goods and services for Dutchess County in the most efficient and cost effective manner while ensuring the County is in full compliance with New York State General Municipal Law and local County Law. Using the County's cooperative purchasing program, Municipalities and Special Districts can save time and money when they piggyback onto existing County contracts. We can also join together in new cooperative contracts to benefit from economies of scale. The use of County contracts by municipalities is granted through the State Finance Law and the General Municipal Law.

Surplus Furniture & Equipment

The Office of Central and Information Services (OCIS), Division of Central Services is responsible for the disposition of the County's surplus furniture and equipment. Property that is no longer needed by the County is offered free to Municipalities and Special Districts (e.g. fire departments, school districts) prior to being auctioned to the public.

Shared IT Services for Municipalities

The County offers the following IT services to Municipalities on a fee for services basis: PC/server tech services, network services, software development, IT consulting and assessments.

Emergency Management Division

The Emergency Management Division at Emergency Response provides assistance/guidance on prevention and mitigation of natural and man-made disasters. The Emergency Manager is responsible for consulting/reviewing emergency plans of municipal entities, including schools. The Emergency Management Divisions also maintains an Emergency Operations Center (EOC) which is available 24 hours per day to assist and support local municipalities to meet and coordinate responses to an emergency situation. We are currently developing a Regional Hazard Mitigation plan that involves planning efforts of numerous municipal agencies throughout Dutchess County. Once complete this plan will ensure a coordinated and efficient approach to Natural Hazard Mitigation efforts. The Department of Emergency Response is designated as the coordination point for the Dutchess County Local Emergency Planning Committee (LEPC). This requires the collection and maintenance of all LEPC SARA Title III records and files to requesting agencies and the public.

Emergency Management/Fire Rescue & Emergency Medical Services Divisions

The Department of Emergency Response provides the coordination of activity and response among various fire and EMS resources in the county. The department's Coordinator staff assists incident commanders and municipal leaders at significant emergencies. They provide assistance in responding to and recovering from significant disasters. Additionally, we provide a Fire Police Response Team, Hazardous Materials Response Team, Fire Investigation Team, and a Critical

Incident Response Team. All of these teams assist local municipalities and agencies, thereby reducing or eliminating the need for a local municipality to maintain these costly resources.

Geographic Information Systems (GIS) Initiative

Dutchess County's Geographic Information Systems (GIS) initiative centralizes a wide variety of data and applications made available to local governments and publicly via web applications. The County has worked with municipalities to collect and deliver parcel based information. To increase the access to this important data Dutchess County has developed the current ParcelAccess application. Access to these GIS shared services reduces the amount of duplication in hardware, software and personnel efforts to use important spatial data in daily decision-making. With immediate access to a wide variety of data, these shared GIS tools have saved time and money for local government and county staff alike.

Equal Opportunity/Affirmative Action

Human Resources has provided the municipal agencies with assistance in equal opportunity/affirmative action recruitment efforts for positions such as Police Officer and Firefighter. Training is also provided to agencies in such areas as Defensive Driving and Sexual Harrassment.

Dutchess County Urban Consortium

Twenty-nine municipalities have joined a consortium to qualify for federal Community Development Block Grant (CDBG) funds. The funds may be used for projects and programs that provide assistance, opportunities or support for low or moderate income residents. The program is administered by the Department of Planning & Development. All Dutchess County municipalities are currently involved in this program, except the City of Poughkeepsie, which has its own CDBG program. Participating municipalities are eligible to apply for funding that can be used to address infrastructure, housing, and handicapped accessibility improvements.

Planning Assistance

County Planning staff provides professional planning assistance to local municipalities on a variety of projects. Most projects are of limited duration and focus on a particular geographic area or a particular zoning or land use issue. Recent projects have included technical assistance on new zoning for the Hamlet of Irondale (Town of North East) and the Beacon Linkage District, and Sidewalk Plans for the Village of Rhinebeck and the Hamlet of Hyde Park. The assistance is provided to a local municipality (city, town, village). Generally the request for assistance comes from the chief elected official and/or the governing board, but the Department may work with a particular Board (e.g. Planning Board) or with a special committee (e.g. a zoning review committee) to complete the task. Local municipalities can receive professional planning assistance at no or very low cost.

Public Defender Conflict Swap

The Dutchess County Public Defenders Office and the Ulster County Public Defenders Office have entered into an inter-municipal agreement to handle conflict cases in each others

jurisdictions. A conflict case arises when an attorney has previously represented one of the witnesses in a case or when there are more than one defendant charged with the same crime.

Ordinarily when a conflict arises, state law requires the County to pay a private attorney to handle the conflict at a state mandated hourly rate. Public Defenders are able to handle cases at about one half the cost of a private attorney. Further, because Public Defender offices only handle criminal cases, the offices have on staff investigators, social workers, and para-professional staff. In addition, Public Defender offices have access to ancillary resources necessary to provide quality representation, i.e. expert witnesses and stenographers.

Snow & Ice Control Operations

The County's Department of Public Works has a Shared Services agreement with several towns, to assist in handling snow and ice control operations on County owned Highways within their jurisdiction. This work covers 100 miles of highway and represents 25% of the total 396 miles of County Highways. The participating towns are paid by the County for their labor and equipment for this service and may opt out at the end of each season.

This arrangement allows for a faster response time for snow and ice control operations, and therefore better level of service, on some of our roads that are geographically remote from the County's six (6) operations centers.

Real Property Tax Assessment Administration Support

The Real Property System (RPS) assessment administration software is a shared service between the County and local municipalities. While the County's Real Property Tax Service Agency and Office of Central and Information Services hosts, maintains and administers the system, local assessors maintain data within the system including assessments, exemptions, special district information, and mailing addresses. By maintaining a centralized assessment software system, Dutchess County relieves local assessors from database administration duties, thereby allowing them to concentrate on their duties of valuation and assessment administration.

Senior Services

The County Office for the Aging offers dozens of senior programs including Senior Exercise, Brain Games, Friendship Centers, Home Delivered Meals and the Senior Picnic Program in coordination and cooperation with nearly all municipalities throughout the County. These partnerships facilitate County programming at a number of locations throughout the County.

Sheriff Road Patrols & Security Services

The Dutchess County Sheriff's Office provides police/security services to numerous municipalities and school districts throughout the County. Services include daily road patrols, school's security, court security traffic control and security for sports events and dances. Hiring the Dutchess County Sheriff's Office gives a municipality access to a full time police agency without the overhead cost involved to maintain a full time police agency.

STOP-DWI Program

Under the direction of Planning and Development, the STOP-DWI Program provides contractual funding to municipal and county law enforcement agencies to conduct dedicated impaired driving enforcement patrols, coordinated/directed impaired driving enforcement details/checkpoints targeting specific crackdown periods/dates, and Drug Recognition Expert callouts.

Dial-A-Ride Program

Dutchess County offers municipalities the option of participation in the Dial-A-Ride Program to provide curb to curb service to residents of the sponsoring municipality. The County and the municipality share the local cost of the transit service. The benefit of the Dial-A-Ride Program to municipalities and Dutchess County residents is that closes the gaps in the fixed route system for people who cannot get to the fixed route, which allows them to participate more fully in work, school and social activities.

Appendix C:

Joint Community Development Block Grant Projects 2013-2017

Town and Village of Red Hook – Construction of Challenger Field- \$200,000

Construction of a Challenger Baseball Field, an adaptive baseball field with synthetic infields, and accessible dugouts for individuals with physical and intellectual challenges.

Town and Village of Pawling – Lakeside Park Accessibility Improvements - \$150,000

Accessibility improvements at Lakeside Park including: a sidewalk connecting the street to the existing park sidewalks, crosswalks, handicapped drop-off area and parking, and alterations to the entrance of the main park building.

Village of Millerton and Town of North East –

North East-Millerton Library Handicapped Access Improvements - \$64,600

Handicapped accessible improvements including replacement of main front doors at the main library and the annex building with handicapped accessible power-assist doors, and replacement of the ramp at the annex building.

Village of Wappingers Falls, Town of Wappinger and Town of Poughkeepsie –

Lower Wappingers Creek Community Boathouse - \$242,700

Adaptive reuse of a vacant historic factory building on the Lower Wappinger Creek into a boathouse which will provide non-motorized recreation opportunities for local residents and disadvantaged youth such as kayaking, canoeing, fishing and nature activities. The Village of Wappingers Falls, which is located in both the Towns of Poughkeepsie and Wappinger, will to an inter-municipal agreement with the Towns where their respective recreation departments will work together to support and operate the facility.

County-Wide Shared Services Tax Savings Plan

Project Name: 36. Village of Wappingers Falls & County Police Consolidation

Municipalities Participating:

Dutchess County and the Village of Wappingers Falls

Project Description:

Inter-municipal agreement between Dutchess County and the Village of Wappingers Falls for the expansion and provision of Sheriff law enforcement services in the Village of Wappingers Falls. The service will include the provision of 2 full-time patrol officers between the hours of 8am and 12 midnight and 1 patrol officer between the hours of 12 midnight through 8am. The Sheriffs assigned to the Village of Wappingers Falls will be based in a sub station in the Village of Wappingers Falls beginning January 2018. Anticipated savings will be generated through the elimination of duplicative administrative and supervisory components.

	2018	2019
Projected Savings:	\$ 582,000	\$ 582,000

County-Wide Shared Services Tax Savings Plan

Project Name: 37. Shared Highway Garage and Salt Shed

Municipalities Participating:

Town of North East & Village of Millerton

Project Description:

The Town of North East and the Village of Millerton are exploring the possibility of sharing a Highway Garage and Salt Shed. The first step in the process is the completion of a feasibility study. Pending the findings of a feasibility study, it is anticipated that the two municipalities will build one building, share administrative costs as well as equipment.

	2018	2019
Projected Savings:	\$ 750,000	\$ 150,000

Discussion on Resolution No. 2017164 proceeded as follows:

Legislator Tyner voiced concerns with Project No. 34, Public Transit Services Consolidation.

Assistant Majority Leader Bolner called point of order because the shared services plan encompassed all of the municipalities in Dutchess County.

Chairman Borchert ruled Legislator Tyner out of order.

Legislator Tyner voiced concerns with Project No. 34, Public Transit Services Consolidation.

Legislator Pulver called point of order because the Legislature had no authority to remove or add items to the tax savings plan.

Chairman Borchert ruled Legislator Tyner out of order.

Roll call on the foregoing resolution resulted as follows:

AYES:	22	Borchert, Bolner, Black, Brendli, Coviello, Flesland, Forman, Horton, Incoronato, Jeter-Jackson, Kakish, Landisi, Metzger, Pulver, Rieser, Roman, Sagliano, Strawinski, Surman, Thomes, Truitt, Washburn
NAYS:	1	Tyner
ABSENT:	2	Amparo, Miccio

Resolution adopted.

Budget, Finance, and Personnel Committee Roll Call

<i>District</i>	<i>Name</i>	<i>Yes</i>	<i>No</i>
District 3 - Town of LaGrange	Borchert *	1	
District 17 - Town and Village of Fishkill	Miccio*	2	
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner*	3	
District 20 - Town of Red Hook	Strawinski*	4	
District 14 - Town of Wappinger	Amparo*	<i>absent</i>	
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano (VC)	5	
District 6 - Town of Poughkeepsie	Flesland (C)	6	
District 10 - City of Poughkeepsie	Jeter-Jackson	7	
District 11 - Towns of Rhinebeck and Clinton	Tyner		1
District 12 - Town of East Fishkill	Metzger	8	
District 15 - Town of Wappinger	Incoronato	9	
District 22 - Towns of Beekman and Union Vale	Coviello	10	

Present:	<u>11</u>	Resolution:	<input checked="" type="checkbox"/>	Total :	<u>10</u>	<u>1</u>
Absent:	<u>0</u>	Motion:	___		Yes	No
Vacant:	<u>0</u>			Abstentions:	<u>0</u>	

2017164 REQUESTING THE DUTCHESS COUNTY LEGISLATURE TO REVIEW AND CONSIDER THE COUNTY-WIDE SHARED SERVICES PROPERTY TAX SAVINGS PLAN SUBMITTED HEREWITH AND ISSUE AN ADVISORY REPORT MAKING RECOMMENDATIONS, IF ANY, IN ACCORDANCE WITH PART BBB OF CHAPTER 59 OF THE NEW YORK STATE LAWS OF 2017

Date: September 7, 2017

Roll Call Sheets

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

Present:	<u>23</u>	Resolution:	<input checked="" type="checkbox"/>	Total :	<u>22</u>	<u>1</u>
Absent:	<u>2</u>	Motion:	<input type="checkbox"/>		Yes	No
Vacant:	<u>0</u>			Abstentions:	<u>0</u>	

2017164 REQUESTING THE DUTCHESS COUNTY LEGISLATURE TO REVIEW AND CONSIDER THE COUNTY-WIDE SHARED SERVICES PROPERTY TAX SAVINGS PLAN SUBMITTED HEREWITH AND ISSUE AN ADVISORY REPORT MAKING RECOMMENDATIONS, IF ANY, IN ACCORDANCE WITH PART BBB OF CHAPTER 59 OF THE NEW YORK STATE LAWS OF 2017

Date: September 11, 2017

RESOLUTION NO. 2017165

RE: EXTENSION OF TAXES ON SALES AND USES OF TANGIBLE PERSONAL PROPERTY AND OF CERTAIN SERVICES, ON OCCUPANCY OF HOTEL ROOMS AND ON AMUSEMENT CHARGES PURSUANT TO ARTICLE 29 OF THE TAX LAW OF THE STATE OF NEW YORK

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

WHEREAS, this Legislature enacted Resolution No. 598 of 1975 imposing sales and compensating use taxes on certain tangible personal property and certain services pursuant to Article 29 of the Tax Law of the State of New York, and

WHEREAS, said Resolution was amended by Resolution No. 40 of 1981, Resolution No. 472 of 1989, Resolution No. 46 of 1995, and Resolution No. 360 of 2002, Resolution 203045, Resolution 205225, Resolution 207259, Resolution 209303, Resolution 2011197, Resolution 2013265, and Resolution 2015233; and

WHEREAS, the State Legislature previously passed legislation which was signed into law as Chapter 8 of Laws of 2003, which permitted Dutchess County to increase the sales tax rate as authorized from 3% to 3 3/4%, with such additional 3/4 of 1% to be used for County purposes and has passed new legislation which has been signed into law as Chapter 61 of the Laws 2017 which authorizes an extension of such additional tax through November 30, 2017; and

WHEREAS, the 2017 Adopted County Budget anticipates revenues from the extended authorization of the increased sales tax; and

WHEREAS, this Legislature has determined that the continued increase in sales tax for the County of Dutchess will provide the necessary revenues for the County to stabilize taxes which is in the best interest of the taxpayers and residents of Dutchess County.

Be it enacted by the Legislature of the County of Dutchess, as follows:

SECTION 1. Section 4-A of Resolution No. 598 of 1975, enacted by the Legislature of the County of Dutchess on December 9, 1975, imposing sales and compensating use taxes, is amended to read as follows:

SECTION 4-A. Imposition of additional rate of sales and compensating use taxes.

Pursuant to the authority of section 1210 of the Tax Law, in addition to the sales and compensating use taxes imposed by sections 2 and 4 of this resolution, there is hereby imposed and shall be paid an additional three-quarters of one percent rate of such sales and compensating use taxes, for the period beginning June 1, 2003, and ending November 30, 2019. Such additional taxes shall be identical to the taxes imposed by such sections 2 and 4 and shall be administered and collected in the same manner as such taxes. All of the provisions of this resolution relating to or applicable to the administration and collection of the taxes imposed by such sections 2 and 4 shall apply to the additional taxes imposed by this section, including the applicable transitional provisions, limitations, special provisions, exemptions, exclusions, refunds and credits as are set forth in this resolution, with the same force and effect as if those provisions had been incorporated in full into this section and had expressly referred to the additional taxes imposed by this section.

SECTION 2. Paragraph (B) of Subdivision (1) of section 11 of Resolution No. 598 of 1975, enacted by the Legislature of the County of Dutchess on December 9, 1975, imposing sales and use taxes, is amended to read as follows:

(1)(A) With respect to the additional tax of three-quarters of one percent imposed for the period beginning June 1, 2003, and ending November 30, 2019, in respect to the use of property used by the purchaser in this city prior to June 1, 2003.

SECTION 3. Subdivision (b) of Section 14 of Resolution No. 598 of 1975, enacted by the Legislature of the County of Dutchess on December 9, 1975, imposing sales and use taxes, is amended to read as follows:

(a) One Hundred percent (100%) of such monies shall be set aside for County purposes and shall be available for any County purpose.

(b) Notwithstanding subdivision (a) of this section, net collections from such taxes, including the additional three-quarters of one percent rate imposed for the period beginning December 1, 2013 and ending November 30, 2019, shall be disposed of in accordance with the Tax Law § 1262 (c) and Sales Tax distribution agreement entered into by the County and the Cities of Poughkeepsie and Beacon for the period March 1, 2013, through March 1, 2023, and approved by the State Comptroller pursuant to section 1262(c) of the Tax Law, during the period that such agreement is in effect.

SECTION 4. This enactment shall take effect on December 1, 2017.

APPROVED

MARCUS J. MOLINARO
COUNTY EXECUTIVE
Date 9/12/2017

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 16th day of September, 2015, 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 16th day of September, 2015.


CAROLYN MORRIS, CLERK OF THE LEGISLATURE

Budget, Finance, and Personnel Committee Roll Call

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

Present: 11
 Absent: 1
 Vacant: 0

Resolution: _____
 Motion: ✓

Total: 9 2
 Yes No
 Abstentions: 0

JM/DB

Call the question

2017165
 9.7.17

Budget, Finance, and Personnel Committee Roll Call

<i>District</i>	<i>Name</i>	<i>Yes</i>	<i>No</i>
District 3 - Town of LaGrange	Borchert *	1	
District 17 - Town and Village of Fishkill	Miccio*	2	
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner*	3	
District 20 - Town of Red Hook	Strawinski*	4	
District 14 - Town of Wappinger	Amparo*	<i>absent</i>	
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano (VC)	5	
District 6 - Town of Poughkeepsie	Flesland (C)	6	
District 10 - City of Poughkeepsie	Jeter-Jackson	7	
District 11 - Towns of Rhinebeck and Clinton	Tyner		1
District 12 - Town of East Fishkill	Metzger	8	
District 15 - Town of Wappinger	Incoronato	9	
District 22 - Towns of Beekman and Union Vale	Coviello		1

Present:	<u>11</u>	Resolution:	<u>✓</u>	Total :	<u>9</u>	<u>2</u>
Absent:	<u>1</u>	Motion:	—		Yes	No
Vacant:	<u>0</u>			Abstentions:	<u>0</u>	

2017165 EXTENSION OF TAXES ON SALES AND USES OF TANGIBLE PERSONAL PROPERTY AND OF CERTAIN SERVICES, ON OCCUPANCY OF HOTEL ROOMS AND ON AMUSEMENT CHARGES PURSUANT TO ARTICLE 29 OF THE TAX LAW OF THE STATE OF NEW YORK

Date: September 7, 2017

Roll Call Sheets

District	Last Name	Yes	No
District 3 - Town of LaGrange	Borchert		
District 17 - Town and Village of Fishkill	Miccio	<i>absent</i>	
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner		
District 20 - Town of Red Hook	Strawinski		
District 14 - Town of Wappinger	Amparo	<i>absent</i>	
District 1 - Town of Poughkeepsie	Kakish		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano		
District 4 - Town of Hyde Park	Black		
District 5 - Town of Poughkeepsie	Roman		
District 6 - Town of Poughkeepsie	Flesland		
District 7 - Towns of Hyde Park and Poughkeepsie	Truitt		
District 8 - City and Town of Poughkeepsie	Brendli		
District 9 - City of Poughkeepsie	Rieser		
District 10 - City of Poughkeepsie	Jeter-Jackson		
District 11 - Towns of Rhinebeck and Clinton	Tyner		<u>1</u>
District 12 - Town of East Fishkill	Metzger		
District 15 - Town of Wappinger	Incoronato		
District 16 - Town of Fishkill and City of Beacon	Forman		
District 18 - City of Beacon and Town of Fishkill	Landisi		
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver		
District 21 - Town of East Fishkill	Horton		
District 22 - Towns of Beekman and Union Vale	Coviello		
District 23 - Towns of Pawling, Beekman and East Fishkill	Thomes		
District 24 - Towns of Dover and Union Vale	Surman		
District 25 - Towns of Amenia, Washington, Pleasant Valley	Washburn		

Present: 23
 Absent: 2
 Vacant: 0

Resolution:
 Motion:

Total: 22 1
 Yes No
 Abstentions: 0

2017165 EXTENSION OF TAXES ON SALES AND USES OF TANGIBLE PERSONAL PROPERTY AND OF CERTAIN SERVICES, ON OCCUPANCY OF HOTEL ROOMS AND ON AMUSEMENT CHARGES PURSUANT TO ARTICLE 29 OF THE TAX LAW OF THE STATE OF NEW YORK

Date: September 11, 2017

RESOLUTION NO. 2017166

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

APPLICANT: Horizons at Dogwood Lane, LLC
1055 Saw Mill River Rd., Suite 204
Ardsley NY 10502

ACCOUNT NO.: 133089-5955-04-869356-0000

Legislators FLESLAND, MICCIO, FORMAN, LANDISI, SAGLIANO, METZGER and JETER-JACKSON offer the following and move its adoption:

WHEREAS, there is a unpaid water/sewer re-levy on the 2016 Levy tax roll for the Town of Fishkill under the name of Horizons at Dogwood Lane, LLC, Account No. 133089-5955-04-869356-0000, and

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

WHEREAS, pursuant to Section 554 of the Real Property Tax Law, the County Director of Real Property has investigated this claim and has found that the Town of Fishkill has made a clerical error in said unpaid water/sewer re-levy, and

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

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

RESOLVED, that the application received July 11, 2017, relating to Account No. 133089-5955-04-869356-0000 for a corrected tax bill is hereby approved, and be it further

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

<u>Municipality</u>	<u>Assessed Value</u>	<u>Exempt Amt.</u>	<u>Taxable Value</u>	<u>Corrected Tax</u>
County	900,000		900,000	\$3,218.05
Town of Fishkill	900,000		900,000	\$3,655.28
Chelsea Fire	900,000		900,000	\$ 589.41

			TOTAL:	\$7,462.74 +penalties
--	--	--	---------------	------------------------------

and be it further

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

A342 Allowance for Uncollectable	\$ 9,977.62
A430 Town of Fishkill	<u>199,552.44</u>
Total:	\$209,530.06

CA-094-17
CEB/MB/kvh
G-0194 8/07/17

Fiscal Impact: None

APPROVED

MARCUS J. MOLINARO
COUNTY EXECUTIVE
Date 9/12/2017

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 11th day of September 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 11th day of September 2017.


CAROLYN MORRIS, CLERK OF THE LEGISLATURE

Dutchess County Real Property Tax Service Agency
COE Investigating Report

Description (grid #) 133089-5955-04-869356-0000

Owner's Name Horizons at Dogwood Lane LLC

Mailing Address 1055 Saw Mill River Rd. Suite 204 Ardsley NY 10502

Property Location 14 Dogwood Lane

School District Beacon City School Dist. Special District _____

Total Assessed Value now on roll 900,000 Corrected to Same

Taxable Assessed Value (Prior to Star) now on roll 900,000 Corrected to Same

Exempt codes and amounts if applicable

Amount Levied \$207,015.18 Should be \$7,462.74

Tax Bill Paid? ___ yes no Verified with assessor? yes ___ no

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

- Subdivision 2, Paragraph H (clerical error)
- Subdivision 3, Paragraph ___ (error in essential fact)
- Subdivision 7, Paragraph ___ (unlawful entry)

Reason:

Exemption was approved by assessor, but not entered on roll ___

Exemption amount incorrectly calculated ___

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

Improvement was removed before taxable status date ___

Assessment based on incorrect acreage ___

Parcel should be Wholly Exempt ___

Parcel Misclassified as homestead or non-homestead ___

Other: Water/Sewer re-levy was done in error

Recommendation APPROVE APPLICATION DENY APPLICATION

Details: It is recommended that the application for a corrected 2016/17 Cnty/Town tax bill be approved.

A430 T/O Fishkill \$199,552.44

Investigator Margaret Burns Director Eric Apfel Date 7/17/2017



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

RP-554 (9/04)

APPLICATION FOR CORRECTED TAX ROLL
FOR THE YEAR 20 17

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

Horizons at Dogwood Lane LLC
1a. Name of Owner
1055 Saw Mill River Road, Suite 204
Ardsley, New York 10502
1b. Mailing Address
14 Dogwood Lane on 4.4 acres

Day (914) 693-6613 Evening ()
2. Telephone Number
06-5955-04-869356
3. Parcel Location (if different than 1b.)

4. Description of real property as shown on tax roll or tax bill (Include tax map designation)
5. Account No. 003487 6. Amount of taxes currently billed \$207,015.18

7. I hereby request a correction of tax levied by Town of Fishkill/Dutchess County
(county/city/school district; town in Westchester County; non-assessing unit village)

for the following reasons (use additional sheets if necessary): The relevy of unpaid water/sewer in the amount of \$199,552.44 was made prematurely and should not have been added as a relevy on the January 2017 bill.

4/25/17 Date Signature of Applicant

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

Date application received: 7/11/17 Period of warrant for collection of taxes: 12/15/16
Last day for collection of taxes without interest: 2/28/17
Recommendation: Approve application* Deny Application
7/17/2017 Date Signature of County Director

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

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

APPLICATION APPROVED Amount of taxes currently billed: \$ 207,015.18
Notice of approval mailed to applicant on (enter date): _____ Corrected tax: \$ 7,462.74
Order transmitted to collecting officer on (enter date): _____
APPLICATION DENIED Reason: _____

Seal of Office Date Signature of Chief Executive Officer or Official Designated by Resolution

RECEIVED
MAY 11 PM 1:20
REAL PROPERTY TAX SERVICES

Part IV. For use by COLLECTING OFFICER:

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

Order from tax levying body received:

Corrected tax due: \$ _____

_____ Date

Interest and penalties (if applicable): \$ _____

Total corrected tax due: \$ _____

Tax roll corrected:

_____ Date

Tax bill corrected:

_____ Date

Application and Order annexed to tax roll:

_____ Date

Payment of corrected tax received:

_____ Date

Date

Signature of Collecting Officer

Robert P. LaColla
Supervisor
E-mail: supervisor@fishkill-ny.gov
(845) 831-7800 Ext. 3309
(845) 831-6040 Fax



Fishkill Town Hall
807 Route 52
Fishkill, NY 12524-3110
Website: www.fishkill-ny.gov

RECEIVED
2017 JUL 17 PM 1:03
REAL PROPERTY
TAX SERVICES

July 12, 2017

Eric Axelsen, Director
Dutchess County Department of Finance
Real Property Tax Service Agency
22 Market Street
Poughkeepsie, NY 12601

RE: Relevy of Unpaid Water/Sewer Billing to Parcel ID #06-5955-04-869356 (14 Dogwood Lane)

Dear Mr. Axelsen:

The Town of Fishkill would like to request the removal of unpaid water/sewer charges in the amount of One Hundred Ninety Nine Thousand Five Hundred Fifty Two Dollars and Forty Four Cents (\$199,552.44) from the property tax bill for parcel # 06-5955-04-869356, 14 Dogwood Lane. This relevy of the unpaid water/sewer charges was done in error.

If you should require additional information or have any questions, please contact the Town Comptroller, Sharon Mitchell at 845-831-7800 extension 3331 or via email at smitchell@fishkill-ny.gov.

Sincerely,

Robert P. LaColla
Supervisor

FISHKILL-2017

BILL No: 003487

2017 TOWN

For Fiscal Year JAN 1, 2017 - DEC 31, 2017 - Warrant Date 12/15/2016

MAKE CHECKS PAYABLE TO: TO PAY IN PERSON
DARLENE BELLIS, TAX RECEIVER Town of Fishkill
807 Route 52 807 Route 52, Fishkill, NY
Fishkill, New York 12524 M-F 8:00 AM - 4:30 PM

PROPERTY ADDRESS & LEGAL DESCRIPTION
Address: 14 DOGWOOD LN
Village: Roll Sect. 1
Bank Code:
Property Class Name: 411 - Apartment
Parcel Dimensions: Acreage = 4.4
School: 133089 - Beacon City
Est State Aid: COUNTY: 73926162
TOWN: 69238
VILLAGE: 0

133089 / 5.955-4-869.356

PROPERTY TAXPAYER'S BILL OF RIGHTS

HORIZONS AT DOGWOOD LANE Assessor estimates the FULL MARKET VALUE of property as of 03/01/2016: \$900,000
1055 SAW MILL RIVER RD The ASSESSED VALUE of this property as of 03/01/2016 was: \$900,000
ARDSLEY, NY 10502 The UNIFORM PERCENT OF VALUE used to establish assessment was: 100.00%
If you feel your assessment is too high, you have the right to seek a reduction in the future.
A publication entitled "Contesting your assessment" is available at the assessor's office and online
at www.tax.ny.gov. Please note that the period for filing complaints on the
above assessment has passed.

Exemption Value TaxPurpose Full Value Estimate Exemption Value TaxPurpose Full Value Estimate

IF YOU HAVE AN ESCROW ACCOUNT PLEASE FORWARD THIS BILL TO YOUR BANK

PROPERTY TAXES

<u>Taxing Purpose</u>	<u>Total Tax Levy</u>	<u>% Change From Prior Year</u>	<u>Taxable Value</u>	<u>Tax Rate Per \$1000</u>	<u>Tax Amount</u>
County Tax	\$106,383,900	0.30	\$900,000	3.575611	\$3,218.05
Town Outside Tax	\$6,867,130	0.00	\$900,000	4.061418	\$3,655.28
Chelsea Fire	\$262,520	0.30	\$900,000	0.654899	\$589.41
Unpaid Water/Sewer	\$0	0.00	\$0	1.000000	\$199,552.44

<u>PAYMENT SCHEDULE</u>	<u>Penalty/Int</u>	<u>Amount</u>	<u>Total Due</u>	TOTAL TAXES DUE	\$207,015.18
Pay By 2/28/2017	\$0.00	\$207,015.18	\$207,015.18		
3/31/2017	\$4,140.30	\$207,015.18	\$211,155.48		
4/30/2017	\$6,210.46	\$207,015.18	\$213,225.64		
5/31/2017	\$8,282.61	\$207,015.18	\$215,297.79		

\$ 7,462.74

TAXES PAID BY _____

2017 TOWN Bank Code: Bill No. 003487 Payment STUB
RECEIVER'S STUB 1330895.955-4-869.356
HORIZONS AT DOGWOOD LANE LLC
1055 SAW MILL RIVER RD Village of:
ARDSLEY, NY 10502 Property Address: 14 DOGWOOD LN

TAXES PAID BY Payment Due 2/28/2017 \$207,015.18

RECEIVER'S STUB MUST BE RETURNED WITH PAYMENT. FOR A RECEIPT OF PAYMENT, PLACE A CHECK MARK IN THIS BOX [] AND RETURN THE ENTIRE BILL WITH PAYMENT.

Budget, Finance, and Personnel Committee Roll Call

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

Present: 11
 Absent: 1
 Vacant: 0

Resolution:
 Motion:

Total : 11 0
 Yes No
 Abstentions: 0

2017166 APPROVAL OF APPLICATION TO CORRECT TAX BILL AND TO AUTHORIZE THE COMMISSIONER OF FINANCE TO ISSUE A CORRECTED TAX BILL – TOWN OF FISHKILL

Date: September 7, 2017

Roll Call Sheets

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

Present:	<u>23</u>	Resolution:	<input checked="" type="checkbox"/>	Total :	<u>23</u>	<u>0</u>
Absent:	<u>0</u>	Motion:	<input type="checkbox"/>	Yes		No
Vacant:	<u>0</u>			Abstentions:	<u>0</u>	

2017166 APPROVAL OF APPLICATION TO CORRECT TAX BILL AND TO AUTHORIZE THE COMMISSIONER OF FINANCE TO ISSUE A CORRECTED TAX BILL – TOWN OF FISHKILL

Date: September 11, 2017

RESOLUTION NO. 2017167

RE: AUTHORIZING AMENDMENT OF FUNDING UNDER THE WORKFORCE INNOVATION & OPPORTUNITY ACT (WIOA)

Legislators THOMES, BORCHERT, MICCIO, BOLNER, SAGLIANO, HORTON, WASHBURN, KAKISH, and JETER-JACKSON offer the following and move its adoption:

WHEREAS, the United States Congress enacted the WIOA 2014 to provide the framework for a unique workforce preparation and employment system designed to meet the needs of businesses and the needs of job seekers and those who want to further their careers, and

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

*PY 2016 Title 1B WIOA ADULT & DISLOCATED WORKER funding for the period of July 1, 2016 through June 30, 2018,

*PY 2017 Title 1B WIOA ADMIN, ADULT, & DISLOCATED WORKER funding for the period of July 1, 2017 through June 30, 2019,

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

APPROPRIATIONS Increase

2016

CD6292.2016.4841	T-1B WIOA Adult	\$45,000
CD6292.2016.4842	T-1B WIOA Dislocated Worker	(\$45,000)

2017

CD6292.2017.4841	T-1B-WIOA Adult	\$56,867
CD6292.2017.4842	T-1B WIOA Dislocated Worker	\$95,720
CD6292.2017.4844	T-1B-WIOA Admin	<u>\$16,954</u>
		<u>\$169,541</u>

REVENUES Increase

2016

CD6292.2016.47910.41	T-1B WIOA Adult	\$45,000
CD6292.2016.47910.42	T-1B WIOA Dislocated Worker	(\$45,000)

2017

CD6292.2017.47910.41	T-1B WIOA Adult	\$56,867
CD6292.2017.47910.42	T-1B WIOA Dislocated Worker	\$95,720
CD6292.2017.47910.44	T-1B-WIOA Admin	<u>\$16,954</u>
		<u>\$169,541</u>

CA-093-17
G-1263 8/7/17
Fiscal Impact: attached.
STATE OF NEW YORK
ss:
COUNTY OF DUTCHESS

APPROVED
[Signature]
MARCUS S. MOLINARO
COUNTY EXECUTIVE

Date 9/10/17

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 11th day of September 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 11th day of September 2017.

[Signature]
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 \$ 169,541 _____

Total Current Year Revenue \$ 169,541 _____
and Source

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

Identify Line Items(s):

Related Expenses: Amount \$ _____

Nature/Reason:

Anticipated Savings to County: _____

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

Additional Comments/Explanation:

Prepared by: MARILYN T. YERKS, CFO

Prepared On: 8/1/17

Family and Human Services Committee Roll Call

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

Present: <u>10</u>	Resolution: <input checked="" type="checkbox"/>	Total :	<u>10</u>	<u>0</u>
Absent: <u>2</u>	Motion: <input type="checkbox"/>		Yes	No
Vacant: <u>0</u>		Abstentions: <u>0</u>		

2017167 AUTHORIZING AMENDMENT OF FUNDING UNDER THE WORKFORCE INNOVATION & OPPORTUNITY ACT (WIOA)

Date: September 7, 2017

Roll Call Sheets

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

Present: 23 Resolution: Total: 23 0
 Absent: 0 Motion: Yes No
 Vacant: 0 Abstentions: 0

2017167 AUTHORIZING AMENDMENT OF FUNDING UNDER THE WORKFORCE INNOVATION & OPPORTUNITY ACT (WIOA)

Date: September 11, 2017

RESOLUTION NO. 2017168

RE: CONFIRMING RE-APPOINTMENTS TO THE
HUMAN RIGHTS COMMISSION

Legislators THOMES, BORCHERT, HORTON, SAGLIANO, LANDISI, JETER-JACKSON, STRAWINSKI, WASHBURN and BRENDLI offer the following and move its adoption:

WHEREAS, pursuant to Resolution 2016223, a Dutchess County Human Rights Commission was established, and

WHEREAS, pursuant to said Resolution, the County Executive and the Chairman of the Legislature are each authorized to appoint seven (7) individuals to the Commission, and

WHEREAS, all fourteen (14) appointments shall be subject to Legislative approval, and

WHEREAS, by Resolution 2016224, the membership of such Commission was fixed at fourteen members; and

WHEREAS, four of the appointments expire on September 30, 2017, two of which were made by the County Executive and two by the Chairman of the Legislature, and

WHEREAS, the County Executive and the Chairman of the Legislature wish to re-appoint the following individuals to the Commission effective October 1, 2017, each for a three year term, and

RESOLVED, that the re-appointment of the following individuals, by the County Executive and the Chairman of the Legislature, to serve without compensation, is hereby confirmed:

COUNTY EXECUTIVE RE-APPOINTMENTS:

TERM:

Thomas Onaje Benjamin
235 South Avenue
Poughkeepsie, NY 12601

Three year term,
expiring on September 30, 2020

Dr. Seema Rizvi
47 Logans Way
Hopewell Junction, NY 12533

Three year term,
expiring on September 30, 2020

CHAIRMAN RE-APPOINTMENTS:

Christopher St. Germain
50 Croft Road
Poughkeepsie, NY 12603

Victoria Anderson
67 Highland Court
Fishkill, NY 12524

CA-103-17
AMS/kvh/G-0602
08/11/17
Fiscal Impact: Attached.

TERM:

Three year term,
expiring on September 30, 2020

Three year term,
expiring on September 30, 2020

APPROVED

MARCUS J. MOLINARO
COUNTY EXECUTIVE
Date 9/12/2017

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 11th day of September 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 11th day of September 2017.


CAROLYN MORRIS, CLERK OF THE LEGISLATURE

FISCAL IMPACT STATEMENT

NO FISCAL IMPACT PROJECTED

APPROPRIATION RESOLUTIONS

(To be completed by requesting department)

Total Current Year Cost \$ _____

Total Current Year Revenue \$ _____
and Source

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

Identify Line Items(s):

Related Expenses: Amount \$ _____

Nature/Reason:

Anticipated Savings to County: _____

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

Additional Comments/Explanation:

Prepared by: Donna Ogden

Prepared On: 07/31/2017

Family and Human Services Committee Roll Call

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

Present: <u>10</u>	Resolution: <input checked="" type="checkbox"/>	Total :	<u>10</u>	<u>0</u>
Absent: <u>2</u>	Motion: <input type="checkbox"/>		Yes	No
Vacant: <u>0</u>		Abstentions: <u>0</u>		

2017168 CONFIRMING RE-APPOINTMENTS TO THE HUMAN RIGHTS COMMISSION

Date: September 7, 2017

Roll Call Sheets

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

Present: 23 Resolution: Total : 23 0
 Absent: 2 Motion: Yes No
 Vacant: 0 Abstentions: 0

2017168 CONFIRMING RE-APPOINTMENTS TO THE HUMAN RIGHTS COMMISSION

Date: September 11, 2017

RESOLUTION NO. 2017169

RE: AUTHORIZING ACQUISITION IN FEE OF REAL PROPERTY FROM CHRISTOPHER D. RIGBY AND MARIA T. RIGBY IN CONNECTION WITH THE INTERSECTION IMPROVEMENTS TO OLD HOPEWELL ROAD (CR 28)/ALL ANGELS HILL ROAD (CR 94), TOWN OF WAPPINGER, (PIN 8758.71)

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

WHEREAS, the Department of Public Works has proposed the improvements to the intersection located at Old Hopewell Road (CR 28)/All Angels Hill Road (CR 94) in the Town of Wappinger, Dutchess County, which project includes the acquisition of portions of certain properties, and

WHEREAS, this Legislature determined in Resolution No. 2014272, that the improvement project constitutes a Type I action pursuant to Article 8 of the Environmental Conservation Law and Part 617 of the NYCRR ("SEQRA"), and will not have a significant negative impact on the environment, and

WHEREAS, the Department of Public Works has made a determination that in order to complete the improvements to the intersection, it is necessary to acquire in fee a portion of property presently owned by Christopher D. Rigby and Maria T. Rigby, and

WHEREAS, the acquisition in fee is a portion of parcel number 135689-6257-04-998401-0000, described as 1,441.28+/- square feet more or less as shown on Map No. 6, Parcel No. 6, copy is annexed hereto, and

WHEREAS, the Agreement to Purchase Real Property (Fee Acquisition) for the necessary real property is attached hereto, and

WHEREAS, the Commissioner of Public Works has recommended that the subject property, be purchased for the sum of \$3,390, plus up to \$1,000 for related expenses, if any, and that the terms and conditions of the Agreement be carried forth, now, therefore, be it

RESOLVED, that the County Executive or his designee is authorized to execute the Agreement to Purchase Real Property in substantially the form annexed hereto and all documents in connection with this acquisition, and be it further

RESOLVED, that on the submission by the property owners of deed to the aforementioned land, which shall include the terms and conditions of the Agreement to Purchase Real Property, and such other documents as may be necessary to convey free and clear title to

the County of Dutchess, that payment be made to the property owners in the sum of \$3,390 plus up to \$1,000 for related expenses, if required, for a Fee Acquisition in accordance with the Agreement to Purchase Real Property, that the County reimburse the property owners for fees associated with the Release of Mortgage application, if any, and pay all necessary filing fees, 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-101-17
CAB/sc/R-0931-Q
8/10/17
Fiscal Impact: See attached statement

APPROVED

MARCUS J. MOLINARO
COUNTY EXECUTIVE
Date 9/12/2017

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 11th day of September 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 11th day of September 2017.


CAROLYN MORRIS, CLERK OF THE LEGISLATURE

FISCAL IMPACT STATEMENT

NO FISCAL IMPACT PROJECTED

APPROPRIATION RESOLUTIONS (To be completed by requesting department)

Total Current Year Cost \$ 4,390

Total Current Year Revenue \$ 4,171
and Source

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

Identify Line Items(s):
H0384.5110.3009 Roads ISTE A

Related Expenses: Amount \$ _____
Nature/Reason:

Anticipated Savings to County: _____

Net County Cost (this year): \$219
Over Five Years: _____

Additional Comments/Explanation:

This Fiscal Impact Statement Pertains to:
RESOLUTION REQUEST TO ACQUIRE FEE ACQUISITION FROM CHRISTOPHER D. RIGBY AND MARIA T. RIGBY.
PIN 8758.71: OLD HOPEWELL ROAD (CR 28)/ALL ANGELS HILL ROAD (CR 94) INTERSECTION IMPROVEMENTS,
TOWN OF WAPPINGER, DUTCHESS COUNTY

Request authorization to acquire in Fee a 133.90+/- square meter (1,441.28+/- square foot) parcel as shown on
accompanying (Map 6, Parcel 6) for the purchase price of \$3,390.00.

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

Prepared by: Matthew W. Davis 2929

AGREEMENT TO PURCHASE REAL PROPERTY
(FEE ACQUISITION)

Project: Old Hopewell Road (CR 28)/All Angels Hill Road (CR 94) Intersection Improvements
PIN: 8758.71 Map: 6 Parcel: 6

This Agreement by and between Christopher D. Rigby and Maria T. Rigby, as Husband and Wife, hereinafter referred to as the "Seller", and the COUNTY OF DUTCHESS, hereinafter referred to as the "Buyer", pertains to that portion of real property interest required for public right of way purposes only.

1. **PROPERTY DESCRIPTION.** The Seller agrees to sell, grant, convey a Fee acquisition to a 133.90± Square Meter (1,441.28± Square Foot) parcel located parallel to the easterly side of County Route 94 (All Angels Hill Road) toward its intersection with County Route 28 (Old Hopewell Road) and thereafter extending easterly along the northern side of Route 28 as shown on the acquisition map., in the Town of Wappinger, Dutchess County, New York, further described as:

Being a portion of those same lands described in a deed dated February 27, 2004, and recorded on March 1, 2004 as Document #02-2004-3466 in the Office of the County Clerk for Dutchess County, New York with the address 361 All Angels Hill Road (Re. Tax map No. 135689-6257-04-998401-0000), and being the same lands designated as Map 6, Parcel 6 on #Exhibit "A" attached hereto.

2. **IMPROVEMENTS INCLUDED IN THE ACQUISITION.** The following improvements, if any, now in or on the property are included in this Agreement: Asphalt driveway and grass.
3. **PURCHASE PRICE.** The total purchase price is THREE THOUSAND THREE HUNDRED NINETY DOLLARS (\$3,390). This price includes the acquisition of the above real property in fee acquisition as described in paragraph 1 and the improvements described in paragraph 2, if any.
4. **PAYMENT.** All by check at closing.
5. **CLOSING DATE AND PLACE.** Transfer of Title shall take place at the Dutchess County Attorney's Office, or at another mutually acceptable location, on or about Transfer of Title shall take place at the Dutchess County Attorney's Office, or at another mutually acceptable location, on or about October 18, 2017.
6. **TITLE DOCUMENTS.** Buyer shall provide the following documents in connection with the sale:
 - A. **Closing Documents.** Buyer will prepare and deliver to the Seller for execution at the time of closing the documents necessary to transfer the real property interest stated in Paragraph 1 above.
 - B. **Abstract, Bankruptcy and Tax Searches, and Acquisition Map.** Buyer will pay for a search of public deeds, court and tax records and will prepare a Title Certification Letter. Buyer will pay for and furnish to the Seller an acquisition map.
 - C. Buyer will be responsible for the recording of all deeds and releases in the Office of the Dutchess County Clerk.
7. **MARKETABILITY OF TITLE.** Buyer shall pay for curative action, as deemed necessary by the Buyer, to insure good and valid marketable title in connection with the Fee Acquisition of the property. Such curative action is defined as the effort required to clear title, including but not limited to attending meetings, document preparation, obtaining releases and recording documents. The Seller shall be responsible for the cost to satisfy liens and encumbrances identified by the Buyer. Said cost shall be deducted from the amount stated in paragraph three (3), and paid to the appropriate party by the Buyer at the time of closing. The Buyer shall be responsible for the reimbursement to the Seller of any Lien Release Application Fees and for any Prepayment Penalties associated with the release of any liens.
8. **RECORDING COSTS, TRANSFER TAX & CLOSING ADJUSTMENTS.** Buyer will pay all recording fees and the real property transfer tax. The following, as applicable and as deemed appropriate by the Buyer, will be prorated and adjusted between Seller and Buyer as of the date of closing: current taxes computed on a fiscal year basis, excluding delinquent items, interest and penalties; rent payments; current common charges or assessments.
9. **RESPONSIBILITY OF PERSONS UNDER THIS AGREEMENT; ASSIGNABILITY.** The stipulations aforesaid shall bind and shall inure to the benefit of the heirs, executors, administrators, successors and assigns of the parties hereto.
10. **ENTIRE AGREEMENT.** This Agreement outlines the complete understanding of the Buyer and Seller pertaining to this acquisition. No verbal agreements or promises will be binding. This agreement must be executed by the Dutchess County Executive in order for it to be binding on the parties.

11. NOTICES. All notices under this Agreement shall be deemed delivered upon receipt. Any notices relating to this Agreement may be given by the attorneys for the parties.

IN WITNESS WHEREOF, on this _____ day of _____, 2017, the parties have entered into this Agreement.

Seller:

Christopher D. Rigby
Christopher D. Rigby 7/11/17

Maria T. Rigby
Maria T. Rigby 7/11/17

COUNTY OF DUTCHESS

Buyer: _____
Marcus J. Molinaro
County Executive

APPROVED AS TO FORM:

APPROVED AS TO CONTENT:

By, _____
County Attorney's Office

Robert H. Balkind
Robert H. Balkind, P.E.
Commissioner

Public Works and Capital Projects Roll Call

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

Present: 11
 Absent: 1
 Vacant: 0

Resolution: ✓
 Motion: —

Total: 11 0
 Yes No
 Abstentions: 0

2017169 AUTHORIZING ACQUISITION IN FEE OF REAL PROPERTY FROM CHRISTOPHER D. RIGBY AND MARIA T. RIGBY IN CONNECTION WITH THE INTERSECTION IMPROVEMENTS TO OLD HOPEWELL ROAD (CR 28)/ALL ANGELS HILL ROAD (CR 94), TOWN OF WAPPINGER, (PIN 8758.71)

Date: September 7, 2017

Roll Call Sheets

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

Present: 23 Resolution: Total : 23 0
 Absent: 2 Motion: Yes No
 Vacant: 0 Abstentions: 0

2017169 AUTHORIZING ACQUISITION IN FEE OF REAL PROPERTY FROM CHRISTOPHER D. RIGBY AND MARIA T. RIGBY IN CONNECTION WITH THE INTERSECTION IMPROVEMENTS TO OLD HOPEWELL ROAD (CR 28)/ALL ANGELS HILL ROAD (CR 94), TOWN OF WAPPINGER, (PIN 8758.71)

Date: September 11, 2017

RESOLUTION NO. 2017170

RE: AUTHORIZING ACQUISITION IN FEE OF REAL PROPERTY FROM EARL J. ROBERTS, SR. AND ALMA M. ROBERTS IN CONNECTION WITH THE REHABILITATION OF OLD HOPEWELL ROAD (CR 28) ROUTE 9 TO ALL ANGELS HILL ROAD (CR 94), TOWN OF WAPPINGER, (PIN 8755.44)

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

WHEREAS, the Department of Public Works has proposed the rehabilitation of Old Hopewell Road (CR 28) Route 9 to All Angels Hill Road (CR 94) in the Town of Wappinger, Dutchess County, which project includes the acquisition of portions of certain properties, and

WHEREAS, this Legislature determined in Resolution No. 2014272, that the improvement project constitutes a Type I action pursuant to Article 8 of the Environmental Conservation Law and Part 617 of the NYCRR ("SEQRA"), and will not have a significant negative impact on the environment, and

WHEREAS, the Department of Public Works has made a determination that in order to complete the rehabilitation of Old Hopewell Road (CR 28), it is necessary to acquire in fee a portion of property presently owned by the Earl J. Roberts, Sr. and Alma Roberts, and

WHEREAS, the acquisition in fee is a portion of parcel number 135689-6157-02-774522-0000, described as 1,233.75+/- square feet more or less as shown on Map No. 19, Parcel No. 20, copy is annexed hereto, and

WHEREAS, the Agreement to Purchase Real Property (Fee Acquisition) for the necessary real property is attached hereto, and

WHEREAS, the Commissioner of Public Works has recommended that the subject property, be purchased for the sum of \$2,590 plus up to \$1,000 for related expenses, if any, and that the terms and conditions of the Agreement be carried forth, now, therefore, be it

RESOLVED, that the County Executive or his designee is authorized to execute the Agreement to Purchase Real Property in substantially the form annexed hereto and all documents in connection with this acquisition, and be it further

RESOLVED, that on the submission by the property owners of deed to the aforementioned land, which shall include the terms and conditions of the Agreement to Purchase Real Property, and such other documents as may be necessary to convey free and clear title to

the County of Dutchess, that payment be made to the property owners in the sum of \$2,590 plus up to \$1,000 for related expenses, if required, for a Fee Acquisition in accordance with the Agreement to Purchase Real Property, that the County reimburse the property owners for fees associated with the Release of Mortgage application, if any, and pay all necessary filing fees, 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-102-17

CAB/sc/R-0931-R

8/10/17

Fiscal Impact: See attached statement

APPROVED



MARCUS J. MOLINARO
COUNTY EXECUTIVE

Date 9/12/2017

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 11th day of September 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 11th day of September 2017.



CAROLYN MORRIS, CLERK OF THE LEGISLATURE

FISCAL IMPACT STATEMENT

NO FISCAL IMPACT PROJECTED

APPROPRIATION RESOLUTIONS

(To be completed by requesting department)

Total Current Year Cost \$ 3,590

Total Current Year Revenue \$ 3,410
and Source

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

Identify Line Items(s):

H0384.5110.3009 Roads ISTEAs

Related Expenses: Amount \$ _____

Nature/Reason:

Anticipated Savings to County: _____

Net County Cost (this year): \$180

Over Five Years: _____

Additional Comments/Explanation:

This Fiscal Impact Statement Pertains to:

RESOLUTION REQUEST TO ACQUIRE A FEE ACQUISITION FROM EARL J. ROBERTS, SR. & ALMA M. ROBERTS. PIN 8755.44: REHABILITATION OF OLD HOPEWELL ROAD (CR 28) ROUTE 9 TO ALL ANGELS HILL ROAD (CR 94) TOWN OF WAPPINGER.

Request authorization to acquire in Fee a 114.62+/- square meter (1,233.75+/- square foot) parcel as shown on accompanying (Map 19, Parcel 20) for the purchase price of \$2,590.00.

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

Prepared by: Matthew W. Davis

2929

ADVANCE PAYMENT AGREEMENT TO PURCHASE REAL PROPERTY
(FEE ACQUISITION)

Project: Rehabilitation of Old Hopewell Road (CR 28), US Route 9 to All Angels Hill Road (CR 94)
PIN: 8755.44 Map: 19 Parcel: 20

This Advance Payment Agreement by and between Earl J. Roberts, Sr. and Alma M. Roberts, Husband and Wife, hereinafter referred to as the "Seller", and the COUNTY OF DUTCHESS, hereinafter referred to as the "Buyer", pertains to that portion of real property interest required for public right of way purposes only.

1. **PROPERTY DESCRIPTION.** The Seller agrees to sell, grant, convey all right, title and interest to a 114.62± Square Meter (1,233.75± Square Foot) parcel located along the northerly side of County Route 28 (Old Hopewell Road), in the Town of Wappinger, Dutchess County, New York, further described as:

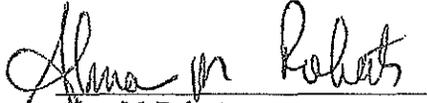
Being a portion of those same lands described in a deed dated July 12, 2000, and recorded on July 13, 2000 as Document #02 2000 6079 in the Office of the County Clerk for Dutchess County, New York with the address 229A Old Hopewell Road (Re. Tax map No. 135689-6157-02-774522-0000), and being the same lands designated as Map 19, Parcel 20 on Exhibit "A" attached hereto.
2. **IMPROVEMENTS INCLUDED IN THE ACQUISITION.** The following improvements, if any, now in or on the property are included in this Agreement: None
3. **PURCHASE PRICE.** Whereas, the Seller and the Buyer cannot agree upon the value of the real property interest and the legal damages, the Buyer is willing to pay an amount equal to the amount determined by the Buyer to be the value of the real property interest to be acquired and the legal damages. This amount is TWO THOUSAND FIVE HUNDRED NINETY DOLLARS (2,590). This price includes the real property interest described in Paragraph one (1) and the improvements described in Paragraph two (2). The Seller agrees, as a prerequisite to such advance payment, to execute and to deliver or cause the execution and delivery to the Buyer of all formal papers which the Buyer deems necessary to authorize payment and to secure to the Buyer a full release of all claims (other than the claim of the Seller) by reason of the acquisition of the aforementioned real property interest with improvements.
4. **PAYMENT.** Payment is to be made upon approval of this agreement by the Buyer after authorization by appropriate administrative and legal entities, as may be required by statute, and after Buyer has provided all papers necessary to convey clear title and release all third-party claims to the advance payment proceeds.
5. **CLOSING DATE AND PLACE.** Transfer of Title shall take place at the Dutchess County Attorney's Office, or at another mutually acceptable location, on or about September 9, 2017.
6. **CLAIM.** Pursuant to New York State Eminent Domain Procedure Law, the Seller hereby reserves the right to file a claim with the Supreme Court, held in the judicial district where the real property is situated, or if a claim has been filed, reserves the right to prosecute said claim, it being understood, however, that any such claim shall be filed within one (1) year after title to the aforementioned real property interest is conveyed. It is agreed that, if the Supreme Court finds the value of the real property interest acquired is equal to or exceeds the advance payment amount, the amount of such advance payment shall be deducted from the amount so found by the court or, in the alternative, the award of said court shall be in the amount of the excess, if any, over and above the advance payment amount. In the event the amount so found by the court is less than the amount of said advance payment, the Buyer, upon application made to the court on at least eight days notice to the Seller, may request the difference between the award as found by the court and the amount of said advance payment. This Paragraph 5 of this Advance Payment Agreement shall not merge into the deed and shall survive the conveyance of the aforementioned real property interest.
7. **FILING.** It is understood and agreed by and between the parties hereto, that pursuant to statute, if no claim is filed by the Seller in the Supreme Court within one (1) year after title to the aforementioned real property interest is conveyed, then, upon the expiration of that time, this Advance Payment Agreement shall automatically become a Purchase Agreement in full and complete settlement of all claims without further ratification, approval or consent by Seller and Seller shall be deemed to have released Seller's claim against the Buyer.

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.

IN WITNESS WHEREOF, on this 27 day of June, 2017, the parties have entered into this Agreement.

Seller:


Earl J. Roberts Sr.


Alma M. Roberts

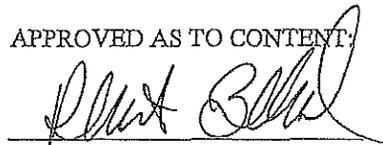
COUNTY OF DUTCHESS

Buyer: _____
Marcus J. Molinaro
County Executive

APPROVED AS TO FORM:

By, _____
County Attorney's Office

APPROVED AS TO CONTENT:


Robert H. Balkind, P.E.
Commissioner

Public Works and Capital Projects Roll Call

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

Present: 11 Resolution: ✓ Total: 11 0
 Absent: 1 Motion: — Yes No
 Vacant: 0 Abstentions: 0

2017170 AUTHORIZING ACQUISITION IN FEE OF REAL PROPERTY FROM EARL J. ROBERTS, SR. AND ALMA M. ROBERTS IN CONNECTION WITH THE REHABILITATION OF OLD HOPEWELL ROAD (CR 28) ROUTE 9 TO ALL ANGELS HILL ROAD (CR 94), TOWN OF WAPPINGER, (PIN 8755.44)

Date: September 7, 2017

Roll Call Sheets

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

Present:	<u>23</u>	Resolution:	<input checked="" type="checkbox"/>	Total :	<u>23</u>	<u>0</u>
Absent:	<u>2</u>	Motion:	<input type="checkbox"/>	Yes		No
Vacant:	<u>0</u>			Abstentions:	<u>0</u>	

2017170 AUTHORIZING ACQUISITION IN FEE OF REAL PROPERTY FROM EARL J. ROBERTS, SR. AND ALMA M. ROBERTS IN CONNECTION WITH THE REHABILITATION OF OLD HOPEWELL ROAD (CR 28) ROUTE 9 TO ALL ANGELS HILL ROAD (CR 94), TOWN OF WAPPINGER, (PIN 8755.44)

Date: September 11, 2017

PUBLIC WORKS & CAPITAL PROJECTS

RESOLUTION NO. 2017171

RE: AMENDING THE 2017 ADOPTED COUNTY BUDGET
AS IT PERTAINS TO THE DEPARTMENT OF PUBLIC WORKS

Legislators PULVER, BORCHERT, FORMAN, SAGLIANO, MICCIO, LANDISI, KAKISH, TYNER, RIESER, INCORONATO, BLACK, BRENDLI, and STRAWINSKI offer the following and move its adoption:

WHEREAS, the Commissioner of the Department of Public Works advises that Central Hudson Gas & Electric is offering a program that enables its customers to purchase electric vehicles at approximately thirty-three (33%) percent off the MSRP list price; and

WHEREAS, the County is seeking to purchase four Nissan Leaf Model S vehicles, typically each vehicle lists for \$33,705, and under this program each vehicle will cost \$22,005, and

WHEREAS, the Nissan Leaf Model S vehicles have a 100 mile range on a full charge and will be used by County departments for short trips in lieu of using gasoline powered, conventional vehicles, and

WHEREAS, the County is also seeking funding to purchase four EV charging stations for the four Nissan Leaf Model S vehicles, each charging station is a dual port Level 2 station, the cost of each station is \$8,000 including a four year network connection cost and will cost approximately \$2,000 to install, and

WHEREAS, these charging stations shall be sited at strategic locations around the County to be used by the County employees using the said Nissan vehicles; and

WHEREAS, the above referenced charging stations shall also be available for use by public users and the public will pay a third party vendor use charge through an app available on a smart-phone, the third party then pays the County 80% of the revenue collected via the app, and

WHEREAS, an appropriation of the fund balance is necessary to provide funding for the four Nissan Leaf Model S Vehicles and the four EV charging stations, and

WHEREAS, it is necessary to amend the 2017 Adopted County Budget to provide additional funds to purchase the vehicles and charging stations, now therefore, be it

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

APPROPRIATIONS:

Increase

A.1640.2500.05	Other Equipment 5 Year	\$ 40,000
A.1640.2300.05	Motor Vehicles 5 Year	<u>\$ 88,020</u>
		<u>\$128,020</u>

REVENUES:

Increase

A.9998.95990.01	Appropriated Fund Balance - General	<u>\$128,020</u>
		<u>\$128,020</u>

CA-107-17
CAB/kvh/G-0188
08/28/17
Fiscal Impact: See attached statement

APPROVED

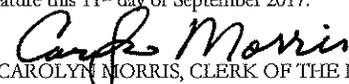
MARCUS J. MOLINARO
COUNTY EXECUTIVE
Date 9/12/2017

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 11th day of September 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 11th day of September 2017.


CAROLYN MORRIS, CLERK OF THE LEGISLATURE

FISCAL IMPACT STATEMENT

NO FISCAL IMPACT PROJECTED

APPROPRIATION RESOLUTIONS

(To be completed by requesting department)

Total Current Year Cost \$ 128,020

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):
Fund balance

Related Expenses: Amount \$ 0
Nature/Reason:

Anticipated Savings to County: _____

Net County Cost (this year): \$128,020
Over Five Years: \$128,020

Additional Comments/Explanation:

Requesting fund balance appropriation for the purchase of four (4) electric vehicles at a cost of \$22,005 each, and four (4) charging stations. The charging stations are \$8,000 each, along with \$2000 for installation, for a total cost of \$128,020.

Prepared by: Robert H. Balkind, P.E.

Prepared On: 08/22/17

Stiebritz, Sarah

From: Morris, Carolyn
Sent: Monday, September 11, 2017 10:13 AM
To: CountyLegislature
Cc: Stiebritz, Sarah
Subject: FW: ELECTRIC CARS

Good morning:

Please see answers regarding the electric cars. See you tonight.

Carolyn Morris

Clerk

Dutchess County Legislature

845.486.2100

From: Balkind, Robert
Sent: Monday, September 11, 2017 6:45 AM
To: Morris, Carolyn
Cc: Baiano, Chris
Subject: RE: ELECTRIC CARS

Carolyn,
Here are answers to the questions you sent:

1. How does purchasing the cars effect the bidding process? Central Services Director Chris Barclay is looking into the bidding laws and will have an answer today (Monday 9/11.) I will share that info as soon as I get it.
2. When will the cars be received? The cars could be ready as soon as next week, depending on the bidding issues in question #1. The County needs to take delivery by the Sept. 29 program end date. We will have a net 30 day payment.
3. How would the cars/batteries be disposed? The cars can be auctioned, or if the County were to dispose of them, the cars are recycled, and the batteries are returned back to Nissan Corp.

I expect to have information about bidding laws today.

-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
Sent: Friday, September 08, 2017 11:14 AM
To: Balkind, Robert
Cc: Baiano, Chris
Subject: ELECTRIC CARS

Background to 2017171

Morris, Carolyn

From: Balkind, Robert
Sent: Monday, September 11, 2017 2:47 PM
To: Morris, Carolyn
Cc: Baiano, Chris; Pillus, Colleen; Kashimer, Rachel
Subject: RE: ELECTRIC CARS

Carolyn,
The County will need to solicit bids for these vehicles. If the vendor that participates in the Central Hudson program is the low bidder, then we will acquire these vehicles through the CH program. If not, we will purchase the cars from the lowest responsible bidder.
-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
Sent: Friday, September 08, 2017 11:14 AM
To: Balkind, Robert
Cc: Baiano, Chris
Subject: ELECTRIC CARS

Good morning Bob:

During Public Works & Capital Projects Committee meeting yesterday the following questions were raised:

1. How does purchasing the cars effect the bidding process
2. When will the cars be received
3. How would the cars/batteries be disposed

You also offered to forward handouts to me to forward to legislators with information relating to the cars.
Thank you and have a great weekend.

Carolyn Morris
Clerk
Dutchess County Legislature
845.486.2100

Public Works and Capital Projects Roll Call

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

Present: 11
 Absent: 1
 Vacant: 0

Resolution: ✓
 Motion: —

Total: 11 0
 Yes No
 Abstentions: 0

2017171 AMENDING THE 2017 ADOPTED COUNTY BUDGET AS IT PERTAINS TO THE DEPARTMENT OF PUBLIC WORKS

Date: September 7, 2017

Roll Call Sheets

District	Last Name	Yes	No
District 3 - Town of LaGrange	Borchert		
District 17 - Town and Village of Fishkill	Miccio	absent	
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner		
District 20 - Town of Red Hook	Strawinski		
District 14 - Town of Wappinger	Amparo	absent	
District 1 - Town of Poughkeepsie	Kakish		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano		
District 4 - Town of Hyde Park	Black		
District 5 - Town of Poughkeepsie	Roman		
District 6 - Town of Poughkeepsie	Flesland		
District 7 - Towns of Hyde Park and Poughkeepsie	Truitt		
District 8 - City and Town of Poughkeepsie	Brendli		
District 9 - City of Poughkeepsie	Rieser		
District 10 - City of Poughkeepsie	Jeter-Jackson		
District 11 - Towns of Rhinebeck and Clinton	Tyner		
District 12 - Town of East Fishkill	Merzger		
District 15 - Town of Wappinger	Incoronato		
District 16 - Town of Fishkill and City of Beacon	Forman		
District 18 - City of Beacon and Town of Fishkill	Landisi		
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver		
District 21 - Town of East Fishkill	Horton		
District 22 - Towns of Beekman and Union Vale	Coviello		
District 23 - Towns of Pawling, Beekman and East Fishkill	Thomes		
District 24 - Towns of Dover and Union Vale	Surman		
District 25 - Towns of Amenia, Washington, Pleasant Valley	Washburn		

Present: 23
 Absent: 2
 Vacant: 0

Resolution:
 Motion:

Total:
 Yes No
 Abstentions:

Handwritten notes:
 due to lack of personnel

JT - 16 charging stations
 10,000 = \$160,000
 \$288,020

2017171
 9-11-17

Roll Call Sheets

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

Present: 23
 Absent: 2
 Vacant: 0

Resolution:
 Motion:

Total: 2 Yes 21 No
 Abstentions: 0

JT-MS

Moved to add 4 charging stations

2017171
 9-11-17

Roll Call Sheets

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

Present: 23
 Absent: 2
 Vacant: 0

Resolution:
 Motion:

Total: 23 0
 Yes No
 Abstentions: 0

2017171 AMENDING THE 2017 ADOPTED COUNTY BUDGET AS IT PERTAINS TO THE DEPARTMENT OF PUBLIC WORKS

Date: September 11, 2017

RESOLUTION NO. 2017172

RE: AMENDING THE 2017 ADOPTED COUNTY BUDGET AS IT PERTAINS TO THE DISTRICT ATTORNEY (A.1165.05)

Legislators ROMAN, MICCIO, BOLNER, LANDISI, INCORONATO, HORTON, and JETER-JACKSON offer the following and moves its adoption:

WHEREAS, the District Attorney has requested the appropriation of forfeiture of crime proceeds, and

WHEREAS, pursuant to Article 13-A of the CPLR, said funds must be used to enhance prosecutorial and law enforcement efforts, enforcement training, equipment and operations, and not to supplement ordinary budgetary expenses, and

WHEREAS, the District Attorney has requested that the sum of \$10,030 be placed in various District Attorney Asset Forfeiture accounts to be used for the purchase of equipment, office supplies and training expenses, listed on the attached Asset Forfeiture Expenditure sheet, now therefore, be it

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

APPROPRIATIONS

Increase

A.1165.05.4160	Office supplies	\$1,240
A.1165.05.4431	Education Programs	\$2,700
A.1165.05.4650	External Postage	\$ 100
A.1165.05.4710	Furniture & Office Equip-ND	\$5,990
		<u>\$10,030</u>

REVENUES

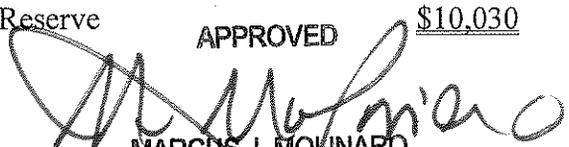
Increase

A.9998.95110.01	Forfeiture – State Reserve	<u>\$10,030</u>
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CA-105-17
LDF/sc/G-0135
08/14/17
Fiscal Impact: See attached statement

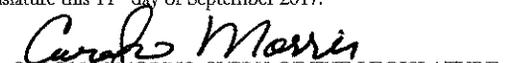
STATE OF NEW YORK
COUNTY OF DUTCHESS

ss:

APPROVED

MARCUS J. MOLINARO
COUNTY EXECUTIVE
Date 9/17/2017

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 11th day of September 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 11th day of September 2017.


CAROLYN MORRIS, CLERK OF THE LEGISLATURE

FISCAL IMPACT STATEMENT

NO FISCAL IMPACT PROJECTED

APPROPRIATION RESOLUTIONS

(To be completed by requesting department)

Total Current Year Cost \$ 10,030

Total Current Year Revenue \$ 10,030
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:

This resolution is to appropriate Asset Forfeiture Funds (A.9998.95110.01 - Asset Forfeiture State - Reserve) to enable the purchase of equipment, etc. listed on the attached Asset Forfeiture Expenditure sheet.

Prepared by: Heidi Owens

Prepared On: 08-10-2017

Asset Forfeiture Budget Amendments

APPROPRIATION		
Increase		
A.1165.05.4160	Office Supplies	\$1,240
A.1165.05.4431	Education Programs	\$2,700
A.1165.05.4650	External Postage	\$100
A.1165.05.4710	Furniture & Office Equip-ND	\$5,990
REVENUE		
Increase		
A.9998.95110.01	Forfeiture - State Reserve	\$10,030

Asset Forfeiture Expenditures

4160 - Office Supplies

Buffet Credenza	700.00	Dutchess County District Attorney
HP ProBook Notebook	540.00	Dutchess County District Attorney
TOTAL:	1,240.00	

4431 - Education Programs

JFIRE-Youth Fire Intervention Specialist	2,700.00	Dutchess County District Attorney
TOTAL:	2,700.00	

4650 - External Postage

Shipping & Handling UFED	100.00	Dutchess County District Attorney
TOTAL:	100.00	

4710 - Furniture & Office Equip-ND

Touch2 without UFED Kit	2,995.00	Dutchess County District Attorney
Touch2 without UFED Kit	2,995.00	DC - Drug Task Force
TOTAL:	5,990.00	

TOTAL TO BE APPROPRIATED: 10,030.00

TOTALS BY PROGRAM

Dutchess County District Attorney	7,035.00	
DC - Drug Task Force	2,995.00	
TOTAL TO BE APPROPRIATED:	10,030.00	

Roll Call Sheets

District	Last Name	Yes	No
District 3 - Town of LaGrange	Borchert		
District 17 - Town and Village of Fishkill	Miccio	<i>absent</i>	
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner		
District 20 - Town of Red Hook	Strawinski		
District 14 - Town of Wappinger	Amparo	<i>absent</i>	
District 1 - Town of Poughkeepsie	Kakish		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano		
District 4 - Town of Hyde Park	Black		
District 5 - Town of Poughkeepsie	Roman		
District 6 - Town of Poughkeepsie	Fiesland		
District 7 - Towns of Hyde Park and Poughkeepsie	Truitt		
District 8 - City and Town of Poughkeepsie	Brendli		
District 9 - City of Poughkeepsie	Rieser		
District 10 - City of Poughkeepsie	Jeter-Jackson		
District 11 - Towns of Rhinebeck and Clinton	Tyner		
District 12 - Town of East Fishkill	Metzger		
District 15 - Town of Wappinger	Incoronato		
District 16 - Town of Fishkill and City of Beacon	Forman		
District 18 - City of Beacon and Town of Fishkill	Landisi		
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Puiver		
District 21 - Town of East Fishkill	Horton		
District 22 - Towns of Beekman and Union Vale	Coviello		
District 23 - Towns of Pawling, Beekman and East Fishkill	Thomes		
District 24 - Towns of Dover and Union Vale	Surman		
District 25 - Towns of Amenia, Washington, Pleasant Valley	Washburn		

Present: 23 Resolution: ✓ Total : 23 0
 Absent: 2 Motion: Yes No
 Vacant: 0 Abstentions: 0

2017172 AMENDING THE 2017 ADOPTED COUNTY BUDGET AS IT PERTAINS TO THE DISTRICT ATTORNEY (A.1165.05)

Date: September 11, 2017

RESOLUTION NO. 2017173

Re: AMENDING RESOLUTION NO. 2015165 TO AUTHORIZE ADDITIONAL MUNICIPALITIES TO ENTER INTO THE INTER-MUNICIPAL AGREEMENT FOR DUTCHESS COUNTY'S JUVENILE FIRE-SETTERS INTERVENTION RESPONSE EDUCATION PROGRAM ("JFIRE")

Legislators ROMAN, BORCHERT, MICCIO, BOLNER, FORMAN, LANDISI, METZGER, HORTON, SAGLIANO, and JETER-JACKSON offer the following and move its adoption:

WHEREAS, Resolution No. 2015165, authorized creation of the Dutchess County JFIRE program, and authorized the County Executive and County Department Heads to sign an inter-municipal agreement among various Dutchess County Departments, Agencies, Fire Districts, and municipalities, and

WHEREAS, the success of the program is due to the multi-disciplinary approach from all parts of the County, to include firefighters, police officers, probation officers, and mental health clinicians, and

WHEREAS, since the JFIRE program's inception in January 2016, JFIRE has participated in 24 interventions from all different parts of the County (13 in 2016 and to date, 11 interventions for 2017), and

WHEREAS, due to the JFIRE program's success, additional municipalities such as the Village and Town of Fishkill Police Departments, and Rhinebeck Police Department, have expressed an interest in joining the program, and

WHEREAS, it is in the best interest of the JFIRE program to have additional municipalities so that additional intervention specialists can be trained, and

WHEREAS, the proposed Amendment to the original Inter-Municipal Agreement adding additional municipalities, a copy of which is annexed hereto, is in the best interests and would benefit all of the citizens of Dutchess County, and

WHEREAS, the funds for another two day Intervention Specialist training seminar have been guaranteed through assistance by the Dutchess County District Attorney's Office, now therefore be it,

RESOLVED, that this Legislature hereby approves the proposed Amendment to the JFIRE Inter-Municipal Agreement to add additional municipalities to the program, and be it further

RESOLVED, that the County Executive and County Department Heads are authorized to execute the Amendment to the Inter-Municipal Agreement in substantially the same form as annexed hereto, and be it further

RESOLVED, that the County Executive is authorized to execute future amendments to the Inter-Municipal Agreements to add additional municipalities and increase the participation of the JFIRE Program, without the need for Legislature approval.

CA-104-17
G-1711
08/11/17
LDF/kvh
Fiscal Impact: Attached

APPROVED

MARCUS J. MOLINARO
COUNTY EXECUTIVE
Date 9/12/2017

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 11th day of September 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 11th day of September 2017.


CAROLYN MORRIS, CLERK OF THE LEGISLATURE

FISCAL IMPACT STATEMENT

NO FISCAL IMPACT PROJECTED

APPROPRIATION RESOLUTIONS

(To be completed by requesting department)

Total Current Year Cost \$ 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: _____

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

Additional Comments/Explanation:

No expense involved in agencies entering into this agreement.

Prepared by: Laurie Colgan

Prepared On: 8/7/2017

AMENDMENT TO INTER-MUNICIPAL AGREEMENT

THIS AMENDMENT TO INTER-MUNICIPAL AGREEMENT, bearing the date set forth on the signature page, is set forth among the **Dutchess County Department of Emergency Response, Dutchess County Sheriff's Office, Dutchess County Office of Probation and Community Corrections, Dutchess County Department of Community and Family Services, Dutchess County Department of Law, Dutchess County Department of Behavioral and Community Health (formerly Dutchess County Department of Mental Hygiene), Dutchess County District Attorney's Office, Astor Services for Children and Families, Fairview Fire District, LaGrange Fire District, City of Poughkeepsie (on behalf of City of Poughkeepsie Police Department), Town of Hyde Park (on behalf of Town of Hyde Park Police Department), Town of East Fishkill (on behalf of Town of East Fishkill Police Department), Town of Poughkeepsie (on behalf of the Town of Poughkeepsie Police Department),**

WITNESSETH:

WHEREAS, the parties hereto made and entered into an agreement dated August 31, 2015 (County Contract No. 15-0296-ER), for the creation of the Juvenile FireSetters Intervention Response Education Program Committee (JFIRE), and

WHEREAS, the parties desire to amend said agreement upon the terms and conditions hereinafter set forth, now, therefore, it is mutually agreed by and between the parties hereto that County Contract No. 15-0296-ER, dated August 31, 2015, is hereby amended upon the following terms and conditions.

1. The following municipalities are added to the JFIRE Committee:

New York State Police, City of Poughkeepsie Fire Department, Village of Rhinebeck (on behalf of Village of Rhinebeck Police Department), City of Beacon (on behalf of City of Beacon Police Department and City of Beacon Fire Department), Village of Fishkill (on behalf of Village of Fishkill Police Department) and Town of Fishkill (on behalf of Town of Fishkill Police Department).

2. All other terms and conditions of the underlying agreement, and any amendment thereto not expressly amended or altered by this agreement, shall remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement this _____ day of _____, 20____.

APPROVED AS TO FORM:

ACCEPTED : COUNTY OF DUTCHESS

County Attorney's Office

By _____
Marcus J. Molinaro, County Executive

APPROVED AS TO CONTENT:

Emergency Response

Public Safety Roll Call

<i>District</i>	<i>Name</i>	<i>Yes</i>	<i>No</i>
District 3 - Town of LaGrange	Borchert*		
District 17 - Town and Village of Fishkill	Miccio*		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner*		
District 20 - Town of Red Hook	Strawinski*		
District 14 - Town of Wappinger	Amparo*	<i>absent</i>	
District 1 - Town of Poughkeepsie	Kakish		
District 4 - Town of Hyde Park	Black		
District 5 - Town of Poughkeepsie	Roman (C)		
District 6 - Town of Poughkeepsie	Flesland		
District 7 - Towns of Hyde Park and Poughkeepsie	Truitt (VC)		
District 8 - City and Town of Poughkeepsie	Brendli		
District 21 - Town of East Fishkill	Horton		

Present: 11 Resolution: ✓ Total: 11 0
 Absent: 1 Motion: Yes No
 Vacant: 0 Abstentions: 0

2017173 AMENDING RESOLUTION NO. 2015165 TO AUTHORIZE ADDITIONAL MUNICIPALITIES TO ENTER INTO THE INTER-MUNICIPAL AGREEMENT FOR DUTCHESS COUNTY'S JUVENILE FIRE-SETTERS INTERVENTION RESPONSE EDUCATION PROGRAM ("JFIRE)

Date: September 7, 2017

Roll Call Sheets

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

Present: 23 Resolution: Total : 23 0
 Absent: 0 Motion: Yes No
 Vacant: 0 Abstentions: 0

2017173 AMENDING RESOLUTION NO. 2015165 TO AUTHORIZE ADDITIONAL MUNICIPALITIES TO ENTER INTO THE INTER-MUNICIPAL AGREEMENT FOR DUTCHESS COUNTY'S JUVENILE FIRE-SETTERS INTERVENTION RESPONSE EDUCATION PROGRAM ("JFIRE)

Date: September 11, 2017

RESOLUTION NO. 2017174

RE: ESTABLISHING ZONE "N" ZONE OF ASSESSMENT
IN THE DUTCHESS COUNTY WATER DISTRICT IN THE
TOWN OF WAPPINGER, DUTCHESS COUNTY, NEW YORK

Legislators FORMAN, MICCIO, BOLNER, SAGLIANO, ROMAN, METZGER,
WASHBURN and INCORONATO offer the following and move its adoption:

WHEREAS, the New York State Legislature, by Chapter 592 of the Laws of 1991 (§1123, Public Authorities Law), created the Dutchess County Water & Wastewater Authority (WWA), and established the Dutchess County Water District covering all the areas within the boundaries of Dutchess County, and

WHEREAS, New York Public Authorities Law Title 6-C, Section 1142 established the "Dutchess County Water District," which provides that such district shall have such powers as are provided in and shall be governed in accordance with the provisions of New York County Law Article 5-A, including, without limitation, the power to enter into contracts, and

WHEREAS, New York County Law Article 5-A, Section 250(1) provides that the Dutchess County Legislature may extend county water for the purpose of developing a supply of water for wholesale or retail distribution, and

WHEREAS, the County and the WWA made and entered into an agreement, County Contract No. 02-0552-WA, dated June 27, 2002, whereby the County agreed to purchase a portion of the excess capacity in the water transmission main and to pay the WWA the sum of \$3,000,000.00 in consideration therefore, and, in addition, agreed to convey to the Authority a 30' construction easement and a 15' permanent easement over the length of the railroad corridor needed for the water main, subject to certain conditions contained therein, and

WHEREAS, County Contract No. 02-0552-WA dated June 27, 2002 was amended by County Contract No. 04-0730-WA dated November 19, 2004 (collectively, the "Underlying Agreement"), whereby the County and the Authority agreed that the Authority would construct and thereafter maintain the Central Dutchess Water Transmission Main and that the County would acquire a reservation of capacity in the Central Dutchess Water Transmission Main, consisting of a reservation of one-half of the total capacity of the Central Dutchess Water Transmission Main, such acquisition assuring the availability to the County for future anticipated use of the Central Dutchess Water Transmission Main by municipalities and persons along or connecting to the Central Dutchess Water Transmission Main of a transmission main for the delivery of potable water, as such municipalities and persons may, from time to time, require, and

WHEREAS, the County required a source of potable water at the Dutchess County Airport located in the northern section of the Town of Wappinger, NY, and the County decided to elect to utilize a portion of its capacity in the Central Dutchess Water Transmission Line and

has selected as a source of the water a connection to the Central Dutchess Water Transmission Line, and

WHEREAS, the County retained the WWA as its agent to act as Program Administrator for the construction project to construct a 12 inch diameter, class 52 cement lined, ductile iron pipeline starting at the Dutchess County Central Dutchess Water Transmission Line and generally following a westerly route across a private parcel with wetland, then along Airport Drive to NYS Route 376, where it will go northerly along NYS Route 376, crossing NYS Route 376 and terminating at the Airport at Griffith Way with a metering pit required at the connection to the Central Dutchess Water Transmission Line and at the terminus at the Airport (the "Project"), and

WHEREAS, this Legislature has before it a Map, Plan and Report entitled "Map, Plan and Report, Dutchess County Water District, Zone of Assessment "N", which was submitted to it by the WWA with the Notice of Project pursuant to Section 1124 of the Public Authorities Law, and

WHEREAS, WWA proposes to enter into an Thirteenth Restatement of the Amended Service Agreement with Dutchess County (County), on behalf of the proposed Zone of Assessment "N" ("Zone "N") whereby the District will provide water service to customers within the Zone at rates established by WWA, and

WHEREAS, this Legislature must establish Zone of Assessment "N" in the Dutchess County Water District which will include thirty-one (31) tax parcels, all of which are commercial, industrial, or multi-family residential, including two parcels owned by the County as part of the Hudson Valley Regional Airport that are proposed to be included in the Zone of Assessment, but are exempt from all special improvement district assessments,

WHEREAS, this Legislature conducted a public hearing on this proposal on September 11, 2017 and heard all persons interested, and

WHEREAS, the establishment of said Zone "N" Zone of Assessment will ensure an economical, efficient water system for all properties within the service area, now, therefore, be it

RESOLVED that this Legislature hereby waives the notice provisions of Section 1124 of the Public Authorities Law and by this Resolution consents to this project, and be it further

RESOLVED, that it is hereby determined that all the property and property owners within the proposed Zone "N" Zone of Assessment are benefited thereby and all the property and property owners benefited are included within the proposed Zone "N" Zone of Assessment, and it is in the public interest to create the Zone "N" Zone of Assessment, and be it further

RESOLVED, that the Zone "N" Zone of Assessment in the Town of Wappinger, more particularly described in "Attachment A" attached hereto is hereby established, and be it further

RESOLVED, that this resolution is subject to permissive referendum.

CA-098-17
CRC//kvh/G-1598
8/11/17
Fiscal Impact: See attached statement

APPROVED



MARCUS J. MOLINARO
COUNTY EXECUTIVE

Date 9/12/2017

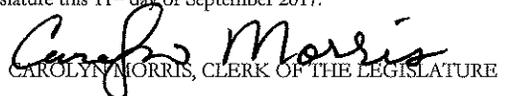
STATE OF NEW YORK

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 11th day of September 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 11th day of September 2017.



CAROLYN MORRIS, CLERK OF THE LEGISLATURE

FISCAL IMPACT STATEMENT

NO FISCAL IMPACT PROJECTED

APPROPRIATION RESOLUTIONS (To be completed by requesting department)

Total Current Year Cost \$ _____

Total Current Year Revenue \$ _____
and Source

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

Identify Line Items(s):

Related Expenses: Amount \$ _____

Nature/Reason:

Anticipated Savings to County: _____

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

Additional Comments/Explanation:

Prepared by: Bridget Barclay

Prepared On: Aug. 2, 2017

DUTCHESS COUNTY WATER DISTRICT

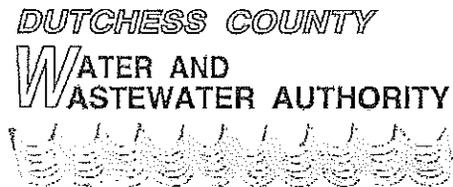
Zone of Assessment "N"

Town of Wappinger, NY

MAP, PLAN AND REPORT

August 7, 2017

Dutchess County Water and Wastewater Authority
Poughkeepsie, NY



August 7, 2017

DUTCHESS COUNTY WATER DISTRICT ZONE OF ASSESSMENT "N"

MAP, PLAN AND REPORT

This Map, Plan and Report contains the information required for the formation of the proposed Dutchess County Water District Zone of Assessment "N", which includes an area of approximately 864 acres located principally along Airport Drive and Griffith Way in the Town of Wappinger, NY.

Information provided herein includes the proposed zone boundaries and a list of the tax parcels that will comprise the future Zone of Assessment, as well as a description of the current and proposed infrastructure by which water will be conveyed. In addition, budgetary estimates for the first year capital, operation and maintenance costs, as well as a cost allocation formula, have been included with this report.

The Dutchess County Water and Wastewater Authority (DCWWA) will enter into a contract (the "Service Agreement") with Dutchess County for the purpose of administering the retail sale of water to all properties within the proposed Zone of Assessment "N", with such service to be provided through the water system facilities as described below. The DCWWA will administer the Zone pursuant to guidelines established by the Service Agreement and collect water revenues. Water rates will be set annually by the DCWWA.

ZONE OF ASSESSMENT

The proposed Zone of Assessment, delineated on the attached map and list of tax parcels (Appendix "A"), presently includes a total of 31 tax parcels (with five additional associated grid numbers designating lease codes.) The proposed Zone is comprised primarily of the Dutchess County Airport, commercial and industrial uses, but there are also some residential parcels, a restaurant, an athletic field, and several undeveloped properties among those to be benefitted. The boundaries of Zone of Assessment "N" will be coterminous with those of the attached map and list of parcels.

PHYSICAL FACILITIES

The current Central Dutchess Water Transmission Line (CDWTL) that is owned by the DCWWA is the proposed source for the new Zone, and a connection to the main transmission line within the William R. Steinhaus Dutchess Rail Trail (WRSDRT) will allow for water to be distributed to all parcels within the Zone. The CDWTL, in turn, purchases water from the Poughkeepsie Joint Water Board through a Water Sale and Purchase Agreement dated November 19, 2004, as amended (the "PWSA.")

Transmission and Distribution

The district is proposed to be served by a 12" diameter cement lined ductile iron piping distribution system. Specifically, a connection will be made at the CDWTL within the WRSDRT, the 12" line will be installed cross-country to Airport Drive, thence within the Airport Drive right-of-way to NYS Route 376, thence across Route 376 to Griffith Way (a private road), and finally along Griffith Way to its termination point within the Dutchess County Airport parcel. Horizontal directional drilling will be utilized to cross a New York State Department of Environmental Conservation (NYSDEC) wetland and buffer between the CDWTL connection point and Airport Drive, to cross a box culvert along Airport Drive, and also to cross Route 376.

Per the drawings, valves are located along the distribution system to facilitate isolation of sections to allow for future maintenance and repair of the piping. Curb valves and boxes are to be located at the property line for the individual parcels.

Two master meter pits will be constructed: one near the connection point to the CDWTL and one in a location

where the waterline enters the DC Airport property (along Griffith Way). Each meter pit will be equipped with a sampling station and backflow prevention via.

WATER USE

The estimated average water use for projected, connected development in the first year of operation will be approximately 19,000 per day (gpd). There are 31 properties to be served, some of which will require both domestic and fire service connections. If each property were to be built out, there could be an additional 158,000 gpd of additional demand.

FUTURE DEMAND

Fittings and capped dead ends will be furnished in both directions at intersection of Airport Drive and Route 376 to allow for potential future expansion, but there are no plans to expand at this time.

SOURCE CAPACITY AND QUALITY EVALUATION

The Central Dutchess Water Transmission Line (CDWTL) system consists of a 70,000 linear foot, 24" diameter water main with a capacity of 10 million gallons per day (mgd) and a pumping station with a current capacity of 6 mgd, expandable to 10 mgd. The CDWTL has a Water Supply Permit for up to 4.25 million gallons per day (gpd.) The PWSA between the DCWWA and the PJWB indicated the availability of 4.25 mgd of water to the DCWWA as of the Commencement Date of that Agreement. The hydraulic analysis for the DCAWL main sizing (Engineer's Report Central Dutchess Water Transmission Line – Dutchess County Airport Water Service Connection, May 2016) indicates the ability to provide 1,800 gallons per minute (gpm), or about 2.6 mgd. Sufficient source, transmission, pumping and distribution capacity exists to support the current and projected future demand for the Zone.

In accordance with the PWSA, the Poughkeepsie Joint Water Board shall not be obligated to provide to the CDWTL water sufficient for fire service or meet any existing or projected fire service demands for water sold under the PWSA. The CDWTL was designed and constructed as a transmission facility with no storage capacity. Accordingly, at this time, no fire flow protection is provided within Zone of Assessment N. In the future, an amendment to the PWSA, construction of a storage facility on the CDWTL, or interconnection to an existing storage facility, may result in the availability of fire protection services for properties within Zone of Assessment N.

The CDWTL water has no water quality issues at the time of this report according to the 2016 Annual Water Quality Report issued by the DCWWA. The 2016 Annual Water Quality Report issued by the PJWB for the Poughkeepsie Water Treatment Plant also indicated all water produced was in compliance with regulatory standards.

PROJECTED COSTS AND COST ALLOCATION

Operation and Maintenance (O & M) Budget

The annual O & M cost is the total cost to the DCWWA to operate the system – labor, electricity, chemicals, insurance, repairs, laboratory fees, etc., as well as the cost to purchase water from the Poughkeepsie Joint Water Board, and the cost to transmit water through the CDWTL. The DCWWA has developed an O & M budget projection to illustrate the projected First Year costs of the proposed Zone under DCWWA ownership. A copy of the O & M budget projection, using 2017 as a base year for demonstration purposes of those First Year costs, has been included as Appendix "B".

Under this scenario, each water customer will be charged a rate per thousand gallons of water used, plus a monthly service charge per service connection. DCWWA projects a first year water rate of \$5.36 per thousand gallons of metered water usage. Monthly service charges will be assessed based on service connection size, with a typical single family residence assessed at \$11.50 per month. The typical property within the proposed Zone is a commercial user with a 1.5 inch service connection, to be assessed at \$20.70 per month. The full schedule of monthly service charges is presented as part of Appendix "B".

All future O & M system budgets, rates, fees and other charges are reviewed annually and subject to change by the DCWWA Board of Directors.

Capital Costs and Allocation:

The necessary capital improvements to provide service within the Zone are being funded through the issuance of bonds by Dutchess County, and grants from the New York Empire State Development and Central Hudson, with no costs to be assessed against properties within the Zone. Any future bonds that are issued for subsequent capital improvements will be allocated equitably among all parcels within the Zone of Assessment through the assignment of benefit units to each parcel. The two parcels within the Zone owned by Dutchess County are exempt from County benefit assessment charges. The methodology for the assignment of benefit units is attached (see Appendix "C"). The annual benefit assessment would appear on the respective property owner's yearly land tax bill.

Annual Cost per a Typical Property – First Year: \$1,422

The proposed rate structure, based on the O & M budget projection, and given there will be no capital charge in the first year, will be comprised of the monthly service charge and \$5.36 per thousand gallon usage rate. The projected first year cost for a single family residential customer would be \$461. The typical property within the proposed Zone is a commercial user with a 1.5 inch service connection, and using approximately 600 gpd. The projected first year cost for a typical commercial user would be \$1,422.

APPENDICES

- Appendix A – Description of Zone (list of parcels and service area map)
- Appendix B - Anticipated Operation & Maintenance Costs and Schedule of Monthly Service Charges
- Appendix C – Benefit Assessment Methodology

APPENDIX "A"

DUTCHESS COUNTY WATER DISTRICT
ZONE OF ASSESSMENT "N"

DESCRIPTION OF ZONE

(Map and Parcel Listing)

The Dutchess County Water District Zone of Assessment "N" shall include all those tax parcels presently indicated on this parcel list and boundary map. These parcels are further described by the list of tax parcel grid numbers provided in the Benefit Assessment Roll in Appendix D:

Tax Grid Nos. Under Town Code 135689	
6259-02-644502	6259-04-689448
6259-02-680540	6259-04-689451
6259-02-681675	6259-04-690453
6259-02-713524	6259-04-691456
6259-02-841673	6259-04-691458
6259-03-473400	6259-04-701440
6259-03-482346	6259-04-702442
6259-04-524382	6259-04-702444
6259-04-525355	6259-04-815490
6259-04-557407	6259-04-870494
6259-04-578332	6259-04-908414
6259-04-610451	6259-03-225301
6259-04-647405	Associated Lease Grid No's:
6259-04-667424	6259-03-225301-0007
6259-04-679493	6259-03-225301-0008
6259-04-687438	6259-03-225301-0014
6259-04-687440	6259-03-225301-0018
6259-04-688443	6259-03-225301-0020
6259-04-688445	

APPENDIX "B"

Projected Operation & Maintenance Costs

Illustrative of projected first year O & M expenses, revenues and rates

OPERATION LINE ITEMS	2017 Estimated
Accounting	\$ 275
Billing	\$ 356
Bookkeeping	\$ 1,000
Buildings & Grounds	\$ 200
Chemicals	\$ -
Computer Equip./Tech Support	\$ 50
Electric	\$ -
Engineering	\$ 200
ERM (Plant)	\$ -
ERM (System)	\$ 1,200
Insurance	\$ 600
Lab Costs	\$ 1,600
Legal	\$ 200
Meter/Collection	\$ 200
Operation	\$ 9,374
Operation Support	\$ -
Permit Fees	\$ 120
Postage	\$ 50
Supplies (Buildings)	\$ -
Supplies (Office)	\$ -
Telephone	\$ 480
Water Purchase from CDWTL	\$ 22,149
Operation Contingency	\$ 500
Administration	\$ 3,724
NYS Recapture Charge	\$ 2,566
OPERATION TOTALS	\$ 44,844

INCOME

Water Sales	\$ 37,165
Monthly Service Charge	\$ 6,679
Water Penalties	\$ 1,000
TOTAL INCOME	\$ 44,844

Water Usage Rate	\$ 5.36
-------------------------	----------------

Proposed Schedule of Monthly Service Charges

In addition to the water charges described above, there will be a monthly service charge assessed according to meter/service size as follows:

Meter/Service size:

3/4 inch	\$ 11.50 per month
1.0 inch	\$ 16.10 per month
1.5 inch	\$ 20.70 per month
2.0 inch	\$ 33.35 per month
2.5 inch	\$ 57.50 per month
3.0 inch	\$ 126.50 per month
4.0 inch	\$ 161.00 per month
6.0 inch	\$ 241.50 per month
8.0 inch	\$ 333.50 per month
10.0 inch	\$ 414.00 per month
16.0 inch	\$ 655.50 per month

APPENDIX "C"

Proposed

Zone of Assessment "N"

BENEFIT ASSESSMENT METHODOLOGY

The Benefit Assessment System

1. Each separate parcel of land within the Zone of Assessment (each of which is identified by a tax account or tax map grid number) is assigned a particular number of benefit units according to the methodology described below.
2. The total capital costs (i.e., net debt service, trustee fees and associated administrative fees) to be borne by the Zone of Assessment in any given year are then divided among the total number of benefit units assigned to all Zone of Assessment properties for that year, and a rate per benefit unit is calculated. Note that different types of benefit units are charged at different rates, as discussed below.

Development of Benefit Assessment Rolls

3. For developed property, the assessment is based on actual consumption figures.
4. The average single family unit was assumed to use 164 gallons of water per day.
5. All existing one, two and three family residences (as determined by the Land Use Codes assigned to each parcel) were assigned one, two or three benefit assessment units, respectively.
6. All other existing, developed properties, including multi-residential structures with four residential units or more, commercial and institutional properties, were assigned a number of benefit assessment units based on actual, average daily water consumption of each such property, calculated over a consistent twelve month period, divided by the common denominator of 164 gallons per day.
7. If a developed property has excess land capable of additional development, that property would be assigned an appropriate number of benefit units for its developed portion, as set forth above, and an additional number of units for the undeveloped but developable portion, as set forth below.
8. For undeveloped property, the development potential of each parcel was estimated based upon the following factors:

- a. Zoning regulations;
 - b. Parcel shape;
 - c. Frontage on public right of way;
 - d. Topography;
 - e. Soil conditions;
 - f. Effect of government regulations, including without limitation New York State Department of Health, new York State Department of Environmental Conservation, Dutchess County Ordinances, Town Subdivision Regulations, Town Highway Specifications, and New York State Department of Transportation;
 - g. Effect of other legal constraints such as conservation easements or deed restrictions.
9. For undeveloped commercial parcels, development potential was expressed as an estimated size of the permitted and reasonably possible building footprint the parcel could support. Based upon the square footage of the projected building footprint, an estimated water production requirement could be computed by multiplying 0.125 gallons per day by the number of square feet in the building footprint.
10. The number of benefit units to be assigned that parcel was then computed by dividing this estimated water demand by the average residential unit production requirement of 218 gallons per day.
11. For the undeveloped parcels zoned solely for single or multiple residential usage (two or three family dwellings) development potential was expressed as the estimated number of residential units of development the parcel could support.
12. In order to reduce the portion of the annual capital costs borne by undeveloped lands, each benefit unit beyond the first unit assessed to an undeveloped parcel, and each additional number of units for the undeveloped but developable portion of a developed parcel, is assessed at a reduced rate of 0.38 times the rate for a developed benefit unit.

Environment Committee Roll Call

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

Present: 11
 Absent: 1
 Vacant: 0

Resolution:
 Motion:

Total : 11 0
 Yes No
 Abstentions: 0

2017174 ESTABLISHING ZONE "N" ZONE OF ASSESSMENT IN THE DUTCHESS COUNTY WATER DISTRICT IN THE TOWN OF WAPPINGER, DUTCHESS COUNTY, NEW YORK

Date: September 7, 2017

Roll Call Sheets

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

Present: 23 Resolution: ✓ Total : 23 0
 Absent: 2 Motion: Yes No
 Vacant: 0 Abstentions: 0

2017174 ESTABLISHING ZONE "N" ZONE OF ASSESSMENT IN THE DUTCHESS COUNTY WATER DISTRICT IN THE TOWN OF WAPPINGER, DUTCHESS COUNTY, NEW YORK

Date: September 11, 2017

RESOLUTION NO. 2017175

RE: ADOPTION OF NEGATIVE DECLARATION IN CONNECTION WITH THE ESTABLISHMENT OF ZONE "N" ZONE OF ASSESSMENT IN THE TOWN OF WAPPINGER

Legislators FORMAN, MICCIO, BOLNER, SAGLIANO, ROMAN, METZGER, WASHBURN and INCORONATO offer the following and move its adoption:

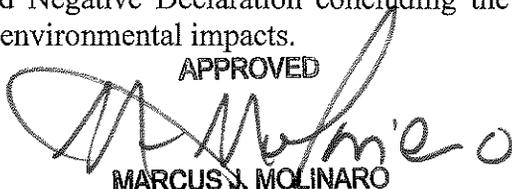
WHEREAS, this Legislature has before it a resolution together with maps, plans and reports, all prepared by or on behalf of the Dutchess County Water and Wastewater Authority ("WWA") in support of the establishment of Zone "N" Zone of Assessment by the County of Dutchess ("County") which will include thirty-one (31) tax parcels, all of which are commercial, industrial or multi-family residential, including two parcels owned by the County that are proposed to be included but are exempt from all special improvement district assessments and to facilitate the payment of capital costs through the levy of benefit assessments , and

WHEREAS, as part of its review of the proposed actions the WWA prepared a Short Environmental Assessment Form dated August 3, 2017, and a Negative Declaration dated August 16, 2017, on file with the Clerk of the Legislature, which concluded that the proposed project constitutes an unlisted action pursuant to Part 617 of the New York Code of Rules and Regulations (SEQR), and that the action will not result in any significant adverse environmental impacts, and

WHEREAS, it appears that WWA made a careful review of the proposed action and this Legislature should confirm those findings, now, therefore, it is hereby

RESOLVED, that this Legislature adopts and confirms the findings of the WWA as set forth in the Short Environmental Assessment Form and Negative Declaration concluding the proposed action will not result in any significant adverse environmental impacts.

CA-099-17
BB/CRC/kvh
G-1598
8/11/17

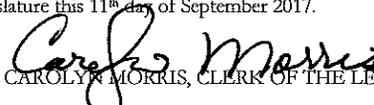
APPROVED

MARCUS J. MOLINARO
COUNTY EXECUTIVE
Date 9/2/2017

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 11th day of September 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 11th day of September 2017.


CAROLYN MORRIS, CLERK OF THE LEGISLATURE

FISCAL IMPACT STATEMENT

NO FISCAL IMPACT PROJECTED

APPROPRIATION RESOLUTIONS (To be completed by requesting department)

Total Current Year Cost \$ _____

Total Current Year Revenue \$ _____
and Source

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

Identify Line Items(s):

Related Expenses: Amount \$ _____

Nature/Reason:

Anticipated Savings to County: _____

Net County Cost (this year): _____

Over Five Years: _____

Additional Comments/Explanation:

Prepared by: Bridget Barclay

Prepared On: Aug. 2, 2017

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: Establishment of County Water District Zone of Assessment N - Dutchess County Airport Water Line Service Area			
Project Location (describe, and attach a location map): Thirty-one tax parcels along Airport Dr. and NYS Route 376 in the Town of Wappinger, including the Dutchess County Airport (Appendix A)			
Brief Description of Proposed Action: 1) Establishment of Zone of Assessment N in the County Water District; 2) Execution of a Restatement of the Service Agreement; 3) Provision of water service to properties within the Zone of Assessment.			
Name of Applicant or Sponsor: Dutchess County Water and Wastewater Authority (DCWWA)		Telephone: 845-486-3623 E-Mail: dcwwa@dutchessny.gov	
Address: 27 High Street			
City/PO: Poughkeepsie		State: NY	Zip Code: 12601
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval: Dutchess County; approval of Zone of Assessment N; approval of execution of Service Agreement			YES <input checked="" type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		864 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?		N/A acres	
4. Check all land uses that occur on, adjoining and near the proposed action. <input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input checked="" type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input checked="" type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): Air Transportation <input type="checkbox"/> Parkland			

<p>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)?</p> <p>If Yes, explain purpose and size: _____</p> <p>_____</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<p>19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility?</p> <p>If Yes, describe: _____</p> <p>_____</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<p>20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste?</p> <p>If Yes, describe: _____</p> <p>_____</p>	<p>NO</p> <p><input type="checkbox"/></p>	<p>YES</p> <p><input checked="" type="checkbox"/></p>
<p>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</p>		
<p>Applicant/sponsor name: <u>Bridget Barclay, Executive Director, DCWWA</u></p>		<p>Date: <u>8/3/2017</u></p>
<p>Signature: <u>Bridget Barclay</u></p>		

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?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing:		
a. public / private water supplies?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. public / private wastewater treatment utilities?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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.

See Attachment B

<input type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
<input checked="" type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.
DC Water & Wastewater Authority	August 16, 2017
Name of Lead Agency	Date
Bridget Barclay	Executive Director
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer
Signature of Responsible Officer in Lead Agency	Signature of Preparer (if different from Responsible Officer)

PRINT FORM

ATTACHMENT A

List of Tax Parcels

Tax Grid Nos. Under Town Code 135689

6259-02-644502	6259-04-689448
6259-02-680540	6259-04-689451
6259-02-681675	6259-04-690453
6259-02-713524	6259-04-691456
6259-02-841673	6259-04-691458
6259-03-473400	6259-04-701440
6259-03-482346	6259-04-702442
6259-04-524382	6259-04-702444
6259-04-525355	6259-04-815490
6259-04-557407	6259-04-870494
6259-04-578332	6259-04-908414
6259-04-610451	6259-03-225301
6259-04-647405	Associated Lease Grid No's:
6259-04-667424	6259-03-225301-0007
6259-04-679493	6259-03-225301-0008
6259-04-687438	6259-03-225301-0014
6259-04-687440	6259-03-225301-0018
6259-04-688443	6259-03-225301-0020
6259-04-688445	

ATTACHMENT B

The action consists of the establishment of a new zone of assessment, Zone N, within the existing Dutchess County Water District, and the execution of a Restated Service Agreement between the Dutchess County Water and Wastewater Authority (DCWWA) and Dutchess County, on behalf of the Water District, for the purpose of the provision of water service to the properties to be included in the Zone of Assessment.

The DCWWA has determined this to be an Unlisted Action.

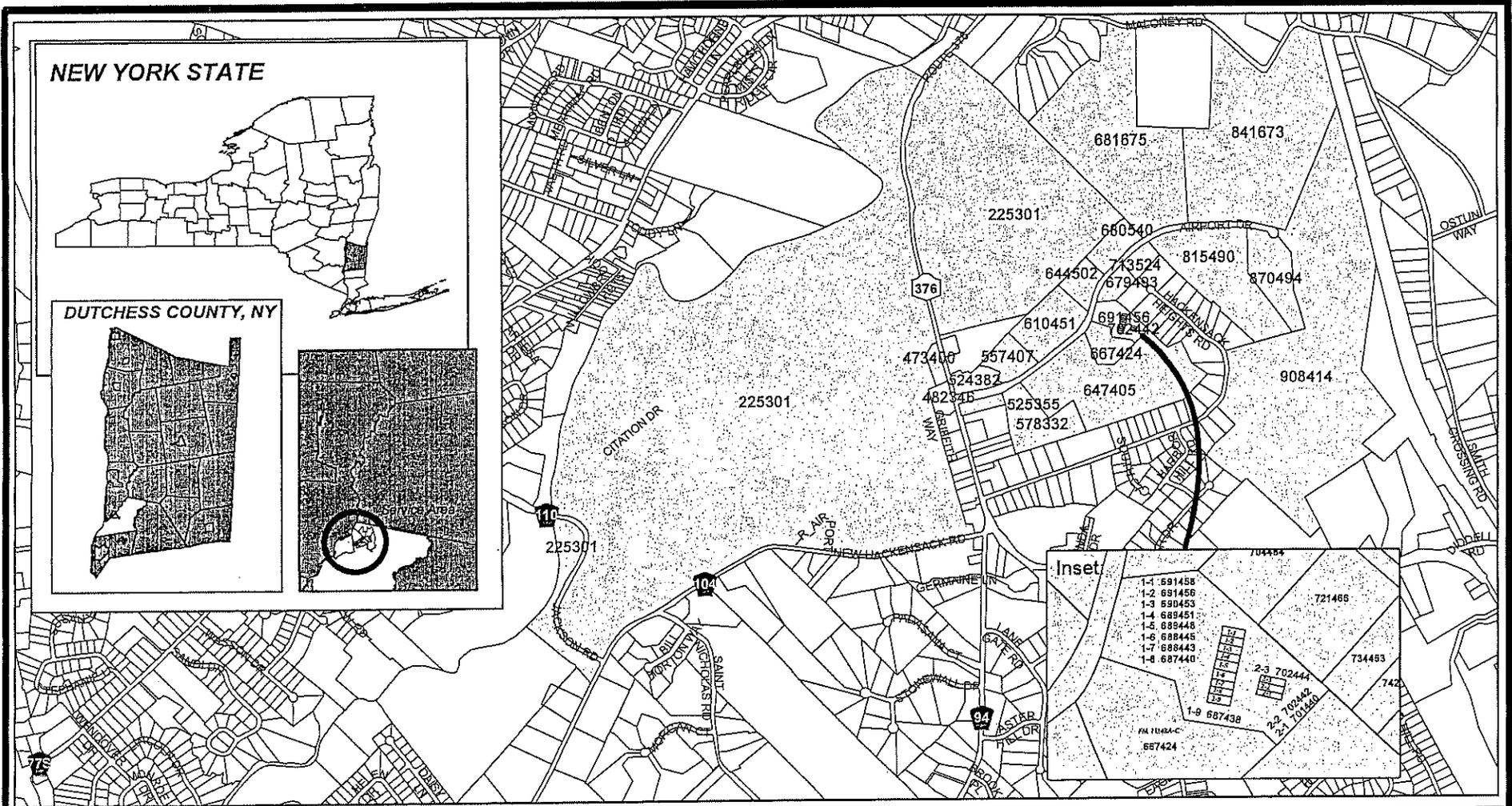
The proposed Zone of Assessment, delineated on the attached map and list of tax parcels (Attachment "A"), presently includes a total of 31 tax parcels (with five additional associated grid numbers designating lease codes.) The proposed Zone is comprised primarily of the Dutchess County Airport, commercial and industrial uses, but there are also some residential parcels, a restaurant, an athletic field, and several undeveloped properties among those to be benefitted.

The current Central Dutchess Water Transmission Line (CDWTL) that is owned by the DCWWA is the proposed source of water supply for the new Zone. A connection to the CDWTL, the Dutchess County Airport Water Line, will allow for water to be distributed to all parcels within the Zone. The CDWTL, in turn, purchases water from the Poughkeepsie Joint Water Board through a Water Sale and Purchase Agreement dated November 19, 2004, as amended (the "PWSA.")

The construction of the Dutchess County Airport Water Line, a 5,790 LF water main extending from the CDWTL along Airport Drive and Route 376 to a termination point at the DC Airport, was the subject of a previous SEQRA review, resulting in the adoption by Dutchess County of a negative declaration (County Resolution 2015016, dated January 30, 2015.)

The FEIS for the construction of the CDWTL, accepted February 23, 2001, addressed growth inducing aspects of making water available along the corridor. The analysis was essentially (1) CDWTL was being built as a transmission main, not intended to serve individual properties directly off the water line and (2) any growth that did occur would be subject to all local land use controls and approval processes.

A subsequent, anticipated project will create a water distribution system to distribute water from the DCAWL to various locations within the Dutchess County Airport. At this time, the layout, design and construction of any future water distribution system on Airport property is undefined. Any future projects will depend upon procuring additional funding. The extent and layout of the distribution system will be depended on future development projects on the Airport property, consistent with the Airport Master Plan.



Date Source: Dutchess County Real Properties Tax Services Agency
 Prepared by: Dutchess County Water and Wastewater Authority
 Drawn By: Jonathan Chulina, Project Facilitator

Date: August 2017

Sheet No.
1 of 1

DUTCHESS COUNTY
WATER AND
WASTEWATER AUTHORITY

Environment Committee Roll Call

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

Present: <u>11</u>	Resolution: <input checked="" type="checkbox"/>	Total :	<u>11</u>	<u>0</u>
Absent: <u>0</u>	Motion: <input type="checkbox"/>		Yes	No
Vacant: <u>0</u>		Abstentions:	<u>0</u>	

2017175 ADOPTION OF NEGATIVE DECLARATION IN CONNECTION WITH THE ESTABLISHMENT OF ZONE "N" ZONE OF ASSESSMENT IN THE TOWN OF WAPPINGER

Date: September 7, 2017

Roll Call Sheets

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

Present: 23
 Absent: 2
 Vacant: 0

Resolution:
 Motion:

Total : 23 0
 Yes No
 Abstentions: 0

2017175 ADOPTION OF NEGATIVE DECLARATION IN CONNECTION WITH THE ESTABLISHMENT OF ZONE "N" ZONE OF ASSESSMENT IN THE TOWN OF WAPPINGER

Date: September 11, 2017

RESOLUTION NO. 2017176

RE: APPROVING AN AMENDED AND THIRTEENTH RESTATEMENT
OF THE SERVICE AGREEMENT BY AND BETWEEN
THE COUNTY OF DUTCHESS AND THE
DUTCHESS COUNTY WATER AND WASTEWATER
AUTHORITY FOR ZONE "N" ZONE OF ASSESSMENT

Legislators FORMAN, MICCIO, BOLNER, SAGLIANO, ROMAN, WASHBURN,
METZGER and INCORONATO offer the following and move its adoption:

WHEREAS, this Legislature has before it a resolution for the establishment of Zone "N" Zone of Assessment, covering the Dutchess County Airport Water Line in the Town of Wappinger which will include thirty-one (31) tax parcels, all of which are commercial, industrial or multi-family residential, including two parcels owned by the County that are proposed to be included but are exempt from all special improvement district assessments, and

WHEREAS, this Legislature has previously approved a Service Agreement, dated as of June 1, 1998, between the County of Dutchess ("County"), for and on behalf of the Dutchess County Water District and the Dutchess County Water and Wastewater Authority ("WWA"), which said Agreement has been amended and restated to cover Zones of Assessment "A," "B," "C," "D," "E," "F," "G," "H," "Valley Dale," "I," "J," "K," "L" and "M" and

WHEREAS, this Legislature has under consideration an Amended and Thirteenth Restatement of the Service Agreement by and between the County for and on behalf of the Dutchess County Water District and WWA, by the terms of which WWA will produce and sell water to the County on behalf of the Zone "N" Zone of Assessment (Zone "N") and the County will levy benefit assessments to pay for the capital costs of the existing water system and provide for the enforcement of delinquent water bills, if any, within the boundaries of Zone "N", and

WHEREAS, this Legislature, by separate Resolution has confirmed the findings of the WWA made the 3rd day of August, 2017, that the establishment of Zone "N" Zone of Assessment will have no significant effect on the environment, and

WHEREAS, the approval of the Thirteenth Restatement is in the best interests of the citizens of Dutchess County, now, therefore, be it

RESOLVED, that the Amended and Thirteenth Restatement of the Service Agreement between the County of Dutchess and the WWA on behalf of Zone "N" Zone of Assessment is approved and the County Executive is authorized and empowered to execute said Agreement on behalf of the County in substantially the same form as on file in the Office of the Legislative Clerk.

CA-100-17

JMF/kvh/G-1598

8/11/17

Fiscal Impact: See statement attached to Resolution establishing Zone "N"
STATE OF NEW YORK

ss:
COUNTY OF DUTCHESS

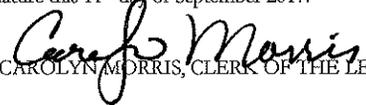
APPROVED

MARCUS J. MOLINARO
COUNTY EXECUTIVE

Date 9/12/2017

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 11th day of September 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 11th day of September 2017.


CAROLYN MORRIS, CLERK OF THE LEGISLATURE

FISCAL IMPACT STATEMENT

NO FISCAL IMPACT PROJECTED

APPROPRIATION RESOLUTIONS (To be completed by requesting department)

Total Current Year Cost \$ _____

Total Current Year Revenue \$ _____
and Source

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

Identify Line Items(s):

Related Expenses: Amount \$ _____

Nature/Reason:

Anticipated Savings to County: _____

Net County Cost (this year): _____

Over Five Years: _____

Additional Comments/Explanation:

Prepared by: Bridget Barclay

Prepared On: Aug. 2, 2017

Environment Committee Roll Call

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

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

2017176 APPROVING AN AMENDED AND THIRTEENTH RESTATEMENT OF THE SERVICE AGREEMENT BY AND BETWEEN THE COUNTY OF DUTCHESS AND THE DUTCHESS COUNTY WATER AND WASTEWATER AUTHORITY FOR ZONE "N" ZONE OF ASSESSMENT

Date: September 7, 2017

Roll Call Sheets

District	Last Name	Yes	No
District 3 - Town of LaGrange	Borchert		
District 17 - Town and Village of Fishkill	Miccio	<i>absent</i>	
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner		
District 20 - Town of Red Hook	Strawinski		
District 14 - Town of Wappinger	Amparo	<i>absent</i>	
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District 9 - City of Poughkeepsie	Rieser		
District 10 - City of Poughkeepsie	Jeter-Jackson		
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District 15 - Town of Wappinger	Incoronato		
District 16 - Town of Fishkill and City of Beacon	Forman		
District 18 - City of Beacon and Town of Fishkill	Landisi		
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver		
District 21 - Town of East Fishkill	Horton		
District 22 - Towns of Beekman and Union Vale	Coviello		
District 23 - Towns of Pawling, Beekman and East Fishkill	Thomes		
District 24 - Towns of Dover and Union Vale	Surman		
District 25 - Towns of Amenia, Washington, Pleasant Valley	Washburn		

Present:	<u>23</u>	Resolution:	<input checked="" type="checkbox"/>	Total :	<u>23</u>	<u>0</u>
Absent:	<u>2</u>	Motion:	<input type="checkbox"/>	Yes		No
Vacant:	<u>0</u>			Abstentions:	<u>0</u>	

2017176 APPROVING AN AMENDED AND THIRTEENTH RESTATEMENT OF THE SERVICE AGREEMENT BY AND BETWEEN THE COUNTY OF DUTCHESS AND THE DUTCHESS COUNTY WATER AND WASTEWATER AUTHORITY FOR ZONE "N" ZONE OF ASSESSMENT

Date: September 11, 2017

RESOLUTION NO. 2017177

RE: AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE GRANT AGREEMENTS AND THE FINANCE DEPARTMENT TO RECEIVE AND DISBURSE FUNDS ALLOCATED TO DUTCHESS COUNTY UNDER THE 2016 U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT'S CONTINUUM OF CARE PROGRAM

Legislators FORMAN, BORCHERT, MICCIO, BOLNER, WASHBURN, SAGLIANO, THOMES, ROMAN, HORTON, LANDISI, and REISER offer the following and move its adoption:

WHEREAS, the County has been notified by the U.S. Department of Housing and Urban Development that funding is available to the County in the sum of \$713,783 under the Continuum of Care Program, and

WHEREAS, this Continuum of Care Program grant is designed to help plan and coordinate the delivery of services to the homeless population in Dutchess County, and

WHEREAS, Dutchess County's 2016 Continuum of Care Program allocation has been established at \$713,783, now therefore, be it

RESOLVED, that the County Executive is hereby authorized to execute any and all necessary Grant Agreements in connection with the information set forth below, and be it further

RESOLVED, that the Commissioner of Finance is hereby authorized and directed to establish a Community Development account for the receipt and disbursement of these funds:

APPROPRIATIONS

Increase

CD.8676.4400.4425	Hudson River Housing Shelter Plus Care	\$117,636
CD.8676.4400.4425	Hudson River Housing Home Base	\$162,594
CD.8676.4400.4425	Hudson River Housing Moving On	\$ 35,611
CD.8676.4400.4645	MARC Shelter Plus Care	\$162,090
CD.8676.4400.4466	Rehab. Sup. Serv. MICA Shelter Plus Care	\$196,875

CD.8686.4408.1314	Contractual Admin. CoC Program Planning Administration	<u>\$ 38,977</u>
	TOTAL:	<u>\$713,783</u>

REVENUES

Increase

CD.8676.49890.03	Special Grant Provision for Public Other HC Continuum of Care	\$674,806
CD.8686.49890.03	CD Act CoC Program Planning	<u>\$ 38,977</u>
	TOTAL:	<u>\$713,783</u>

CA-097-17
AMS/kvh/G-179
8/16/17
Fiscal Impact: See attached statement

APPROVED



MARCUS J. MOLINARO
COUNTY EXECUTIVE

Date 9/12/2017

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 11th day of September 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 11th day of September 2017.


CAROLYN MORRIS, CLERK OF THE LEGISLATURE

FISCAL IMPACT STATEMENT

NO FISCAL IMPACT PROJECTED

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

Total Current Year Cost \$ 713,783

Total Current Year Revenue \$ 713,783
and Source

U.S. Department of Housing and Urban Development Continuum of Care Program.

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

Identify Line Items(s):
See attached detail.

Related Expenses: Amount \$ _____

Nature/Reason:

Anticipated Savings to County: _____

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

Additional Comments/Explanation:

This resolution will authorize the County Executive to execute the grant agreements and enable the Finance Department to accept \$713,783 for the 2016 Federal Continuum of Care (CoC) Program.

Prepared by: Gail Ouimet, Planning and Development 486-3635

Prepared On: June 30, 2017

Environment Committee Roll Call

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

Present: 11
 Absent: 1
 Vacant: 0

Resolution: ✓
 Motion: —

Total : 11 0
 Yes No
 Abstentions: 0

2017177 AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE GRANT AGREEMENTS AND THE FINANCE DEPARTMENT TO RECEIVE AND DISBURSE FUNDS ALLOCATED TO DUTCHESS COUNTY UNDER THE 2016 U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT'S CONTINUUM OF CARE PROGRAM

Date: September 7, 2017

Roll Call Sheets

District	Last Name	Yes	No
District 3 - Town of LaGrange	Borchert		
District 17 - Town and Village of Fishkill	Miccio	<i>absent</i>	
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner		
District 20 - Town of Red Hook	Strawinski		
District 14 - Town of Wappinger	Amparo	<i>absent</i>	
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District 4 - Town of Hyde Park	Black		
District 5 - Town of Poughkeepsie	Roman		
District 6 - Town of Poughkeepsie	Flesland		
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District 8 - City and Town of Poughkeepsie	Brendli		
District 9 - City of Poughkeepsie	Rieser		
District 10 - City of Poughkeepsie	Jeter-Jackson		
District 11 - Towns of Rhinebeck and Clinton	Tyner		
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District 22 - Towns of Beekman and Union Vale	Coviello		
District 23 - Towns of Pawling, Beekman and East Fishkill	Thomes		
District 24 - Towns of Dover and Union Vale	Surman		
District 25 - Towns of Amenia, Washington, Pleasant Valley	Washburn		

Present:	<u>23</u>	Resolution:	<input checked="" type="checkbox"/>	Total :	<u>23</u>	<u>0</u>
Absent:	<u>2</u>	Motion:	<input type="checkbox"/>		Yes	No
Vacant:	<u>0</u>			Abstentions:	<u>0</u>	

2017177 AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE GRANT AGREEMENTS AND THE FINANCE DEPARTMENT TO RECEIVE AND DISBURSE FUNDS ALLOCATED TO DUTCHESS COUNTY UNDER THE 2016 U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT'S CONTINUUM OF CARE PROGRAM

Date: September 11, 2017

RESOLUTION NO. 2017178

RE: AUTHORIZING COUNTY EXECUTIVE TO EXECUTE THE GRANT AGREEMENTS AND THE FINANCE DEPARTMENT TO RECEIVE AND DISBURSE FUNDS ALLOCATED TO DUTCHESS COUNTY UNDER THE 2017 FEDERAL HOME INVESTMENT PARTNERSHIP PROGRAM

Legislators FORMAN, BORCHERT, MICCIO, BOLNER, ROMAN, THOMES, WASHBURN, LANDISI, SURMAN, SAGLIANO, and HORTON offer the following and move its adoption:

WHEREAS, as a result of the County's participation in Community Development Block Grant Programs pursuant to the Housing and Community Development Act, the U.S. Department of Housing and Urban Development has notified the County that funding is available to the County under the HOME Investment Partnership Program, and

WHEREAS, pursuant to the Act, the County receives funding under the HOME Investment Partnership Program to provide assistance for the construction of affordable housing for low and moderate income individuals in participating jurisdictions, and

WHEREAS, Dutchess County's 2017 HOME Investment Partnership allocation has been established at \$625,650, now therefore, be it

RESOLVED, that the County Executive is hereby authorized to execute any and all necessary Grant Agreements in connection with the information set forth below, and be it further

RESOLVED, that the Commissioner of Finance is hereby authorized and directed to establish a Community Development account for this Program as follows:

APPROPRIATIONS

Increase

CD8692.4402.4404	Grants to Coop Municipalities HOME Program 2017	<u>\$625,650</u>
------------------	--	------------------

REVENUES

Increase

CD8692.49100.02	CD Act. HOME Program 2017	<u>\$625,650</u>
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CA-096-17
AMS/kvh/G-179
8/09/17 Fiscal Impact: See attached statement

APPROVED

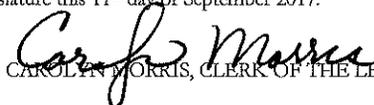
 MARCUS J. MOLINARO
 COUNTY EXECUTIVE

Date 9/12/2017

STATE OF NEW YORK
COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 11th day of September 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 11th day of September 2017.


 CAROLYN MORRIS, CLERK OF THE LEGISLATURE

FISCAL IMPACT STATEMENT

NO FISCAL IMPACT PROJECTED

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

Total Current Year Cost \$ 625,650

Total Current Year Revenue \$ 625,650
and Source

2017 Federal HOME Investment Partnership Program

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

Identify Line Items(s):

CD.8692.4402.4404

Related Expenses: Amount \$ 0

Nature/Reason:

Anticipated Savings to County: _____

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

Additional Comments/Explanation:

This resolution will authorize the County Executive to execute the grant agreements and enable the Finance Department to accept \$625,650 for the 2017 Federal HOME Investment Partnership Program.

Prepared by: Gail Ouimet, Dept. of Planning & Development Prepared On: June 30, 2017

Environment Committee Roll Call

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

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

2017178 AUTHORIZING COUNTY EXECUTIVE TO EXECUTE THE GRANT AGREEMENTS AND THE FINANCE DEPARTMENT TO RECEIVE AND DISBURSE FUNDS ALLOCATED TO DUTCHESS COUNTY UNDER THE 2017 FEDERAL HOME INVESTMENT PARTNERSHIP PROGRAM

Date: September 7, 2017

Roll Call Sheets

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

Present:	<u>23</u>	Resolution:	<input checked="" type="checkbox"/>	Total :	<u>23</u>	<u>0</u>
Absent:	<u>2</u>	Motion:	<input type="checkbox"/>	Yes		No
Vacant:	<u>0</u>			Abstentions:	<u>0</u>	

2017178 AUTHORIZING COUNTY EXECUTIVE TO EXECUTE THE GRANT AGREEMENTS AND THE FINANCE DEPARTMENT TO RECEIVE AND DISBURSE FUNDS ALLOCATED TO DUTCHESS COUNTY UNDER THE 2017 FEDERAL HOME INVESTMENT PARTNERSHIP PROGRAM

Date: September 11, 2017

RESOLUTION NO. 2017179

RE: AUTHORIZING COUNTY EXECUTIVE TO EXECUTE GRANT AGREEMENTS AND FINANCE DEPARTMENT TO RECEIVE AND AND DISBURSE FUNDS ALLOCATED TO DUTCHESS COUNTY, AS AN URBAN COUNTY, UNDER THE 2017 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM

Legislators FORMAN, BORCHERT, BOLNER, METZGER, HORTON, WASHBURN, SURMAN, LANDISI, TRUITT, ROMAN, SAGLIANO, and THOMES offer the following and moves its adoption:

WHEREAS, pursuant to Resolution No. 2015184, this Legislature authorized the County's participation, as an Urban County, in the Community Development Block Grant (CDBG) Program for Fiscal Years 2016 through 2018 pursuant to the Housing and Community Development Act, approving the filing of applications for federal assistance for said program, and

WHEREAS, the application for 2017 was accepted and approved by the U.S. Department of Housing and Urban Development for a grant in the amount of \$1,286,824, and

WHEREAS, for internal control it is necessary to assign a Community Development account to receive and disburse the 2017 funds, now, therefore, be it

RESOLVED, that the County Executive is hereby authorized to execute any and all necessary Grant Agreements in connection with the information set forth below, and be it further

RESOLVED, that the Commissioner of Finance is hereby authorized and directed to establish a Community Development account for the 2017 Community Development Block Grant (CDBG) as follows:

COMMUNITY DEVELOPMENT BLOCK GRANT
2017 FUNDING ALLOCATIONS

INCREASE	MUNICIPALITY AND PROJECT	AMOUNT
CD8662.2700.0200	CITY OF BEACON Main Street Sidewalks	\$42,185
CD8670.2700.2000	TOWN OF AMENIA Town Hall Handicapped Accessibility Initiative	\$93,500
CD8670.2700.2200	TOWN OF BEEKMAN New Senior Recreation Building	\$100,000

CD8670.2700.2800	TOWN OF EAST FISHKILL Handicapped Accessible Playground Expansion	\$100,000
CD8662.2700.3200	TOWN OF HYDE PARK Pinewoods Road Pedestrian Improvement Project	\$150,000
CD8670.2700.5400	TOWN OF UNION VALE Tymor Park Handicapped Access	\$82,412
CD8670.2700.4889	TOWN OF RED HOOK Construction of Challenger Field	\$200,000
CD8670.2700.5001	VILLAGE OF RHINEBECK Legion Park Improvement	<u>\$100,000</u>
	MUNICIPAL FUNDING TOTAL	\$868,097

INCREASE	HUMAN SERVICE AGENCY AND PROJECT	AMOUNT
CD8676.4400.4453	CATHOLIC CHARITIES COMMUNITY SERVICES Dutchess County Case Management Program	\$20,000
CD8676.4400.4407	CHILD ABUSE PREVENTION CENTER Teen Parenting Program Expansion	\$16,363
CD8676.4400.4451	FRIENDS OF SENIORS OF DC CORP. Support Services for Older Adult Community	\$25,000
CD8676.4400.4425	HUDSON RIVER HOUSING, INC. Housing First Support Services	\$25,000
CD8676.4400.4425	HUDSON RIVER HOUSING, INC. River Haven Youth Homeless Program	\$25,000
CD8676.4400.4645	MID HUDSON ADDICTION RECOVERY CENTER Residential Recovery Services	\$25,000
CD 8676.4400.4658	NORTH EAST COMMUNITY COUNCIL Youth Development: Teen Team and CPSB	<u>\$25,000</u>
	HUMAN SERVICES TOTAL	\$161,363

INCREASE	ADMINISTRATION	AMOUNT
CD8686.4408.1313	DUTCHESS COUNTY – ADMINISTRATION (TOTAL)	<u>\$257,364</u>
	TOTAL	\$1,286,824

INCREASE	REVENUE	AMOUNT
CD8662.49100.01 (PW, Facilities Site Improvement)		\$192,185
CD8670.49100.01 (Special Proj – Elderly/Handicap)		\$675,912
CD8676.49100.01 (Provision of Public Service)		\$161,363
CD8686.49100.01 (Administration)		<u>\$257,364</u>
		TOTAL \$1,286,824

CA-095-17
AMS/kvh/G-0179
8/09/17

Fiscal Impact: See attached statement

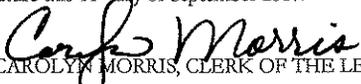
APPROVED

MARCUS J. MOLINARO
COUNTY EXECUTIVE
Date 9/12/2017

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 11th day of September 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 11th day of September 2017.


CAROLYN MORRIS, CLERK OF THE LEGISLATURE

FISCAL IMPACT STATEMENT

NO FISCAL IMPACT PROJECTED

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

Total Current Year Cost \$ 1,286,824

Total Current Year Revenue \$ 1,286,824
and Source

2017 Community Development Block Grant Program (CDBG).

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

Identify Line Items(s):

See attached detail

Related Expenses: Amount \$ 0

Nature/Reason:

Anticipated Savings to County: _____

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

Additional Comments/Explanation:

This resolution will authorize the County Executive to execute the grant agreements and enable the Finance Department to accept \$1,286,824 for the 2017 Community Development Block Grant Program.

Prepared by: Gall Ouimet, Planning and Development Prepared On: June 30, 2017

Environment Committee Roll Call

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

Present: _____	Resolution: _____	Total : _____
Absent: _____	Motion: _____	Yes No
Vacant: _____		Abstentions: _____

2017179 AUTHORIZING COUNTY EXECUTIVE TO EXECUTE GRANT AGREEMENTS AND FINANCE DEPARTMENT TO RECEIVE AND DISBURSE FUNDS ALLOCATED TO DUTCHESS COUNTY, AS AN URBAN COUNTY, UNDER THE 2017 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM

Date: September 7, 2017

LAIID ON DESKS 9/11/17
LAIID ON DESKS BY MAIL, EMAILED, AND PLACED IN BOXES 9/27/17
GOVERNMENT SERVICES & ADMINISTRATION

RESOLUTION NO. 2017180

RE: LOCAL LAW NO. 5 OF 2017, A LOCAL LAW
PROHIBITING THE USE OF POLYSTYRENE FOAM
DISPOSABLE FOOD SERVICE WARE

Legislators PULVER, BORCHERT, RIESER, SAGLIANO, HORTON,
TYNER, WASHBURN, AMPARO, BRENDLI, BLACK, THOMES, INCORONATO, JETER-
JACKSON and TRUITT offer the following and move its adoption:

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

CA-108-17
CRC/kvh/G-1717-B
08/31/17

Fiscal Impact: None

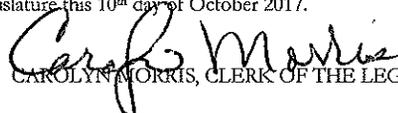
APPROVED

MARCUS J. MOLINARO
COUNTY EXECUTIVE
Date 11/3/2017

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 October 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 October 2017.


CAROLYN MORRIS, CLERK OF THE LEGISLATURE

LOCAL LAW NO. 5 of 2017

RE: LOCAL LAW NO. 5 OF 2017, A LOCAL LAW
PROHIBITING THE USE OF POLYSTYRENE FOAM
DISPOSABLE FOOD SERVICE WARE

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

Section 1. LEGISLATIVE INTENT.

Polystyrene **foam**, commonly referred to as Styrofoam, is a petroleum-based plastic made from the styrene monomer. Styrene has been identified as a potential human carcinogen by the United States Department of Health and Human Services and the International Agency for Research of Cancer.ⁱ The Environmental Protection Agency (EPA), Food and Drug Administration (FDA), and Occupational Safety and Health Administration (OSHA) have all set styrene exposure levels (EPA – drinking water, FDA – bottled water, and OSHA – workplace air).ⁱⁱ

Polystyrene **foam** is used in a number of common food container products. The substance has historically been difficult and costly to recycle on top of being poorly biodegradable.ⁱⁱⁱ ^{iv} Most of the polystyrene **foam** that ends up in landfills will be there 500 years from now. Polystyrene **foam** can also be very toxic when burned.^v

It is often found among common litter or in landfills. Because of the nature and ubiquity of polystyrene **foam**, it can threaten animal and human health.

It is for these reasons that Dutchess County seeks to ban the use of disposable food service ware containing polystyrene foam by chain food service establishments.

i <https://www.atsdr.cdc.gov/phs/phs.asp?id=419&tid=74>

ii <https://www.atsdr.cdc.gov/phs/phs.asp?id=419&tid=74>

iii http://thecif.ca/pdf/reports/130/130_report.pdf

iv <http://www.seas.columbia.edu/earth/wttert/sofos/nawtec/1992-National-Waste-Processing-Conference/1992-National-Waste-Processing-Conference-35.pdf>

v <http://sciencing.com/styrofoam-biodegradable-22340.html>

Section 2. PROHIBITION ON THE USE OF POLYSTYRENE FOAM DISPOSABLE FOOD SERVICE WARE.

- A. No Chain Food Service Establishment shall sell, package, or distribute prepared food in any disposable food service ware that contains polystyrene foam.
- B. The use of all disposable food service containers containing expanded polystyrene foam for sale, packaging or distribution of food at all county facilities, parks, or events is strictly prohibited.

Section 3. COMMISSIONER OF BEHAVIORAL AND COMMUNITY HEALTH'S AUTHORITY.

The responsibility of the administration and enforcement of this Local Law shall be with the Dutchess County Department of Behavioral and Community Health. The Commissioner of Behavioral and Community Health shall be vested with the power to promulgate rules and regulations consistent with this Local Law. Rules and Regulations are submitted herewith for adoption by local law. Any rules and regulations so promulgated shall be made available on the County of Dutchess' website in a manner approved by the Commissioner.

Section 4. REVERSE PREEMPTION.

This local law shall be null and void on the day that federal or New York State general 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 federal or state 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 federal or statewide legislation, or pertinent preempting state or federal regulations have been enacted for the purposes of triggering the provisions of this section.

Section 5. SEVERABILITY.

If any clause, sentence, paragraph, section, subdivision, or other part of this local law or its application shall be inconsistent with any federal or state statute, law, regulation or rule then the federal or state statute, law, regulation, or rule shall prevail. If any clause, sentence, paragraph, section, subdivision, or other part of this local law or its application shall be adjudged by a court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder of the local law which shall remain in full force and effect except as limited by such order or judgment.

Section 6. SEQRA DETERMINATION.

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 the adoption of this local law is a "Type II" Action within the meaning of Section 617.5(c)(20) and (27) 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." [6 NYCRR Section 617.5(c) (20) and (27) apply to: "(20) routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the

environment” and “(27) adoption of regulations, policies, procedures and local legislative decisions in connection with any action on this list”]

Section 7. EFFECTIVE DATE AND APPLICABILITY.

This local law shall be effective immediately upon filing in the Office of the Secretary of State and shall apply to all transactions occurring on or after the effective date of this local law. Enforcement shall not commence until January 1, 2019.

DUTCHESS COUNTY DEPARTMENT OF COMMUNITY AND BEHAVIORAL HEALTH - POLYSTYRENE FOAM DISPOSABLE FOOD SERVICE WARE RULES AND REGULATIONS

Section 1. DEFINITIONS.

The terms set forth below shall have the following meanings:

- A. "Chain Food Service Establishment" - Any establishment operating in Dutchess County that sells or otherwise provides Prepared Food for public consumption on, or off its premises and is part of a group of fifteen or more locations nationally, doing business under the same trade name.
- B. "Customer(s)" - Any person(s) obtaining Prepared Food from a Chain Food Service Establishment.
- C. "Disposable Food Service Ware" - All bowls, plates, cartons, cups, other containers, trays, or other items designed for one-time use on or in which any Food Service Establishment directly places and/or packages food or provides same to Customer(s) to place and/or package food or which are used by Customer(s) to consume or transport food. This includes, but is not limited to, service ware for takeout Prepared Food and/or leftovers from partially consumed meals prepared at or by Chain Food Service Establishments for consumption at a specific location. Excluded from this law and not included are single-use disposable items such as straws, cup lids, or utensils.
- D. "Commissioner" - The Dutchess County Commissioner of the Department of Behavioral and Community Health.
- E. "County" - The County of Dutchess.
- F. "Polystyrene foam" - Any blown polystyrene, expanded, and extruded foams (commonly referred to as Styrofoam, a Dow Chemical Company trademarked form of polystyrene foam insulation) which are thermoplastic petrochemical materials utilizing a styrene monomer and processed by any number of techniques, including, but not limited to, fusion of polymer spheres (expandable bead polystyrene foam), injection molding, foam molding, and extrusion blow molding (extruded from polystyrene). Polystyrene foam is generally used to make cups, bowls, plates, trays, meat trays and egg cartons.

- G. "Prepared Food" - Any food or beverage which is (1) served in Dutchess County or (2) which is packaged, cooked, chopped, sliced, mixed, brewed, frozen, squeezed, or otherwise prepared on the premises. Prepared Food does not include raw meats, eggs, poultry and/or seafood sold for the purpose of cooking off premises.

Section 2. EXEMPTIONS.

A Chain Food Service Establishment may seek an exemption from the prohibition under Section 2 of the local law due to a "unique packaging hardship" under Subsection A of this Section or a "financial hardship" under Subsection B of this Section.

- A. The Chain Food Service Establishment must demonstrate that no reasonably feasible alternative exists to a specific and necessary polystyrene foam disposable food service ware to qualify for a "unique packaging hardship" exemption.
- B. The Chain Food Service Establishment must demonstrate both of the following to qualify for a "financial hardship" exemption: (1) a gross income under \$500,000 on their annual income tax filing for the most recent tax year, and (2) with respect to each specific and necessary Polystyrene foam Disposable Food Service Ware, that there is no feasible alternative that would cost the same or less than the Polystyrene foam Disposable Food Service Ware.
- C. The Chain Food Service Establishment may submit a written application for an exemption on a form provided by the Department of Behavioral and Community Health. The Commissioner or his/her designee may require the applicant to submit additional information: or documentation to make a determination regarding the exemption request. Within thirty (30) days of receiving a completed application and supporting documentation, if any, the Commissioner must either grant or deny the applicant's request for an exemption and must notify the applicant of his or her determination. A request for exemption shall be reviewed on a case by case basis, and may be granted in whole or in part, with or without conditions, for a period of up to twelve (12) months. The Chain Food Service Establishment must apply for a new exemption period no later than sixty (60) days prior to the expiration of the then current exemption period to preserve a continuous exemption status. Each application shall be reviewed anew and will be based on the most current information available. The determination of the Commissioner shall be final and is not is subject to appeal.

Section 3. PENALTIES.

Violations of this local law shall be enforced as follows:

- A. For the first violation, the Commissioner, or his or her designee, upon a determination that a violation of this local law has occurred, shall issue a written warning notice to the Chain Food Service Establishment which will specify the violation and the appropriate penalties in the event of future violations.
- B. Thereafter, the following penalties shall apply:

1. First Offense. Any Chain Food Service Establishment guilty of a first offense shall be guilty of a violation and shall be fined an amount not to exceed two hundred and fifty (\$250) dollars.
2. Second Offense. Any Chain Food Service Establishment guilty of a second offense shall be guilty of a violation and shall be fined an amount not to exceed five hundred (\$500) dollars.
3. Third and Subsequent Offense. Any Chain Food Service Establishment guilty of a third or subsequent offense shall be guilty of a violation and shall be fined an amount not to exceed one thousand (\$1,000) dollars.

ⁱ <https://www.atsdr.cdc.gov/phs/phs.asp?id=419&tid=74>

ⁱⁱ <https://www.atsdr.cdc.gov/phs/phs.asp?id=419&tid=74>

ⁱⁱⁱ http://thecif.ca/pdf/reports/130/130_report.pdf

^{iv} <http://www.seas.columbia.edu/earth/wtert/sofos/nawtec/1992-National-Waste-Processing-Conference/1992-National-Waste-Processing-Conference-35.pdf>

^v <http://sciencing.com/styrofoam-biodegradable-22340.html>

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 Department of Behavioral and Community Health will perform the enforcement function of this legislation within their current inspection and complaint processes and policies. There will not be the need for additional staff resources or other related costs.

Prepared by: Jessica White, Budget Director

Prepared On: 8/28/2017

SUMMARY

Provides that no chain food service establishment, which is defined as any establishment operating in Dutchess County that is part of a group of 15 or more locations nationwide, shall sell, package, or distribute prepared food in any disposable food service ware that contains polystyrene foam. Further, prohibits the use of all disposable food service containers containing polystyrene foam for sale, packaging, or distribution of food at all county facilities, parks, or events.

The Commissioner of the Department of Behavioral and Community Health (DBCH) shall have the authority to administer and enforce this ban. DBCH shall be responsible for issuing written warnings, levying fines on violators, and granting/denying exemption applications. The first violation by a chain food service establishment shall result in a written warning notice that specifies the penalties in the event of future violations. The Commissioner may levy fines no greater than \$250 for the first offense, \$500 for the second offense, and \$1000 for the third and subsequent offense(s).

The local law shall take effect immediately, but enforcement shall not commence until January 1, 2019.

JUSTIFICATION

Polystyrene, commonly referred to as Styrofoam, is a petroleum-based plastic made from the styrene monomer. Styrene has been identified as a potential human carcinogen by the Department of Health and Human Services and the International Agency for Research of Cancer.ⁱ The Environmental Protection Agency (EPA), Food and Drug Administration (FDA), and Occupational Safety and Health Administration (OSHA) have all set styrene exposure levels (EPA – drinking water, FDA – bottled water, and OSHA – workplace air).ⁱⁱ

Polystyrene is used in a number of common food container products. The substance is difficult and costly to recycle on top of being poorly biodegradable.ⁱⁱⁱ It is often found among common litter or in landfills. Because of the nature and ubiquity of polystyrene, it can threaten animal and human health.

It is for these reasons that Dutchess County seeks to ban the use of disposable food service ware containing polystyrene foam by chain food service establishments.

SUPPORT

In the past, Riverkeeper has supported local bans on the use of polystyrene based food containers. Other environmental advocacy groups would also be likely to support the ban. When the Albany County Legislature was debating banning the use of polystyrene, the League of Women Voters offered their support for banning the use of polystyrene based food containers.

OPPOSITION

The New York State Restaurant Association, DART Container Corporation, and KFC have been vocal opponents of polystyrene based food containers bans. DART and KFC were outspoken opponents of Ulster County's ban.

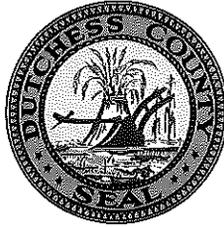
ⁱ <https://www.atsdr.cdc.gov/phs/phs.asp?id=419&tid=74>

ⁱⁱ <https://www.atsdr.cdc.gov/phs/phs.asp?id=419&tid=74>

ⁱⁱⁱ http://thecif.ca/pdf/reports/130/130_report.pdf

^{iv} <http://www.seas.columbia.edu/earth/wtert/sofos/nawtec/1992-National-Waste-Processing-Conference/1992-National-Waste-Processing-Conference-35.pdf>

CAROLYN MORRIS
CLERK



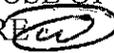
LEIGH WAGER
DEPUTY CLERK

DUTCHESS COUNTY LEGISLATURE

MEMORANDUM

TO: All Legislators

FROM: Carolyn Morris, Clerk, Dutchess County Legislature

RE: Resolution No. **2017180**, A LOCAL LAW PROHIBITING THE USE OF POLYSTYRENE FOAM DISPOSABLE FOOD SERVICE WARE 

DATE: September 27, 2017

Pursuant to Rules 4.5 I of the *Permanent Rules of the Dutchess County Legislature* enclosed is an amended Local Law entitled, "Resolution No. **2017180**, A LOCAL LAW PROHIBITING THE USE OF POLYSTYRENE FOAM DISPOSABLE FOOD SERVICE WARE". Amendments are in bold.

Please consider this law as being "Re-Laid on the Desks". If you have any questions, please contact my office.

lw

Background for 2017180

Wager, Leigh

From: Morris, Carolyn on behalf of CountyLegislature
Sent: Thursday, October 05, 2017 9:40 AM
To: CountyLegislature
Cc: Wager, Leigh
Subject: FW: Resolution No. 2017180

Carolyn Morris

Clerk

Dutchess County Legislature

845.486.2100

From: Steve MacAvery [<mailto:smacavery2@live.com>]
Sent: Wednesday, October 04, 2017 10:24 PM
To: CountyLegislature
Subject: Resolution No. 2017180

The Dutchess County Environmental Management Council (DCEEMC) has reviewed Resolution No. 2017180, Prohibiting the Use of Polystyrene Foam Disposable Food Service Ware, and supports the adoption of Resolution No. 2017180.

Steve MacAvery
Chair, Dutchess County Environmental Management Council

Sent from Mail for Windows 10

Background to 2017180

Dear Chairman Borchert, Members of the County Legislature,

I am writing on behalf of the American Chemistry Council and its Plastics Division regarding the agenda item concerning polystyrene foam food service ware. We only became aware of this matter on Friday, October 6th and were not aware that the County Legislature was considering such legislation. Attached is a memo in opposition but more importantly a memo containing information that probably was not raised at the committee meetings and which also corrects a number of factual inaccuracies contained in the legislative preamble and public realm about polystyrene. We would respectfully request that this item be removed from the Consent Calendar and sent back to committee for a full airing of the issues and for the opportunity to bring forth additional educational information regarding the benefits of polystyrene, the impact this legislation will have on small businesses in Dutchess County and the broader economic impact on companies in the New York State and the Hudson Valley that manufacturer polystyrene and provide employment to residents of the region. I would very much appreciate the opportunity to address the County Legislature at its meeting tomorrow evening. Thank you for your time and attention to this matter.

Sincerely,

Stephen Rosario, CAE

Senior Director
Northeast Region
American Chemistry Council
11 N. Pearl Street, Suite 1400
Albany, NY 12209
steve_rosario@americanchemistry.com
(518) 432-7835



Plastics Food Service Packaging Group

October 10, 2017

Hon. Dale Borchert
Chairman
Dutchess County Legislature
County Office Building
22 Market Street
Poughkeepsie, NY 12601

Subject: Resolution 2017180: Local Law No. ____ for 2017– A Local Law of the County of Dutchess, New York Regulating the Use of Polystyrene Foam Disposable Food Service Ware in Chain Foodservice Establishments– ACC/PFPG Oppose Comments

Dear Chairman Borchert and fellow Dutchess County Legislators,

We are writing to express our concerns about Resolution 2017180, the proposed local law __ for the County of Dutchess, regulating the use of polystyrene foam disposable food service ware by chain food service establishments in Dutchess County. The members of our group, the Plastics Foodservice Packaging Group (PFPG) of the American Chemistry Council (ACC), represent the leading suppliers and manufacturers of plastics foodservice packaging products, including polystyrene food and beverage containers.

Our industry has many companies whose employees live and work in New York State, including Dutchess County, pay taxes, employ people in hard to find jobs in the Northeast, and will be adversely impacted by this proposal.

We support the Dutchess County's ongoing efforts make it more sustainable, including efforts to reduce waste and improve recycling. However well-intentioned, banning polystyrene foam foodservice ware and requiring the use of alternative compostable products, when an infrastructure to adequately compost these products does not exist, will not improve sustainability in the County.

We urge the County Legislature to defer this bill, since the premise is based on information that shows polystyrene foodservice products are not recycled – when in fact they are recycled in many communities.

Recycling of foam – a better solution than a ban

Recycling opportunities are rapidly emerging. In New York, there are polystyrene foam foodservice recycling program in Yonkers, NY, - <http://www.homeforfoam.com/yonkers-invests-foam-recycling> - and in Madison County, NY.- <http://www.fpi.org/index.php?bid=100&storyid=217&ecf34Msi=213&emi8s9Kj=247903> Last year Madison County Department of Solid Waste began a pilot program accepting foam as part of its recycling program including clean and dry cups, take-out food containers, egg cartons and protective packaging. The county then purchased and installed a densifier to expand on the program's success. The densifier compacted the collected materials into condensed polystyrene bricks, which were then shipped to end markets and recycled into new products. Dutchess County can join Yonkers and Madison County in recycling foam and providing consumers with low cost insulating food containers that cost two to five times less than heavier and less performance based food service ware.

There are also numerous locations in the U.S. where people can drop-off foam foodservice packaging for recycling, including the many grocery stores that accept egg cartons and clean foodservice packaging. Recycled polystyrene is used to make picture frames, egg cartons, CD cases and packaging.

There are many different types of programs throughout the country as well. For example, many communities in California, including Los Angeles and Sacramento, collect polystyrene foodservice packaging in curbside recycling programs. Some school districts in Illinois, Michigan, Mississippi and California recycle foam lunch trays. The foodservice industry through its Foam Recycling Coalition's launched a new grant program this year to help fund infrastructure for the collection, processing and marketing of products made for polystyrene foam (www.fpi.org/recyclefoam). The grant program targets post-consumer polystyrene foam products such as foodservice packaging (i.e., cups, plates, bowls, clamshells, cafeteria trays); egg cartons; meat trays; and protective "transport" packaging.

What about the New York City decision on polystyrene foam?

On December 31, 2014, New York City Sanitation Commissioner decided not to include polystyrene foam packaging in the city's curbside recycling program. This means that most foam foodservice packaging and foam protective packaging will continue to be sent to landfills instead of recycled. The decision by New York City illogically ignores an offer to recycle these materials at no cost to the city. Worse, it forces the use of other materials that will be sent to landfills, because food-contaminated paper or cardboard and paper take-out containers 'with heavy wax or plastic coatings are not accepted for recycling in the city. These alternative foodservice packaging materials should be held to the same standard as foam packaging. Burying recyclable materials in landfills is not a sustainable solution for the environment or city residents.

Based on New York City's decision, residents will not be able to recycle any foam packaging – meat trays, egg cartons, protective packaging, foam cups – at curbside, and the use of foam foodservice packaging will be restricted. This will neither increase recycling nor reduce litter. The decision by New York City illogically ignores an offer to recycle these materials at no cost to the city. Worse, it forces the use of other materials that will be sent to landfills, because food-contaminated paper or cardboard and paper take-out containers 'with heavy wax or plastic coatings are not accepted for recycling in the city. These alternative foodservice packaging materials should be held to the same standard as foam packaging.

While New York City recently rejected an opportunity to recycle all polystyrene foam packaging, nearby Yonkers, NY, has already implemented their polystyrene foam recycling program.

Resolution 2017180 is based on misinformation about polystyrene foam food service ware

This bill is also based on *misinformation* about the alleged health and safety impacts of using this product – which has been approved by FDA and use safely for over 50 years.

Here's *information based on studies/independent experts* that should demonstrate how the issues of foodservice litter, trash, and recycling/recovery are being addressed and how Dutchess County can capitalize on these programs without implementing a product ban such as those suggested in this ordinance. *We ask that you research and consider this information to help make an informed decision:*

Polystyrene is approved as safe for use in foodservice by the Food and Drug Administration (FDA). FDA has determined for more than 50 years that polystyrene is safe for use in foodservice products. A common but unnecessary worry about many plastics in foodservice is that they may have tiny amounts of constituents that can make their way into food. This is precisely one of the reasons why the FDA reviews and approves every material to be used in contact with

Food for safety -- before it hits the market -- and this includes a look at what might migrate out of the material, so FDA scientists and regulators are fully satisfied about the safety of the material.,

Polystyrene should not be confused with styrene. Polystyrene and styrene are different substances. Styrene, a liquid, and polystyrene, a solid are fundamentally different. Styrene is a liquid that can be chemically linked to create polystyrene, which is a solid plastic that displays different properties. Polystyrene is used to make a variety of important consumer products, such as foodservice containers, cushioning for shipping delicate electronics, and insulation. Equating polystyrene with styrene is like equating a diamond with carbon. They are not the same substance.

National Toxicology Program (NTP): "Let me put your mind at ease ..." NTP Director Dr. Linda Birnbaum, PhD., was widely quoted in Associated Press reports in June 2011 when the NTP decided to include styrene in its 12th Report on Carcinogens: "Let me put your mind at ease right away about polystyrene foam ... In finished products, certainly styrene is not an issue." Experts from the U.S. National Institute of Environmental Health Sciences (NIEHS) and the American Cancer Society, along with NTP's Associate Director John Bucher, have reached the same conclusions as Dr. Birnbaum. "Styrene should not be confused with polystyrene (foam). Although styrene, a liquid, is used to make polystyrene, which is a solid plastic, we do not believe that people are at risk from using polystyrene products" (NIEHS). Attached are statements from key health agency experts stating that polystyrene foam foodservice ware made from styrene causes no concern for use by consumers in the marketplace.

The Safety of Styrene in Selected Foods and Polystyrene Foam Foodservice Cups - Styrene occurs naturally in foods such as strawberries and cinnamon. Whether naturally occurring in foods and beverages such as strawberries, coffee beans or cinnamon, or produced synthetically, most people encounter styrene as a part of their daily lives, though in small amounts. Scientific studies have shown that the small amounts of styrene consumers may be exposed to are not harmful; studies have also shown that, should exposure occur, styrene does not stay in the body for long and is rapidly metabolized and excreted. There is more styrene found in cinnamon, beer and beef than there is in a foam cup. For more detailed information, visit: <http://youknowstyrene.org/health-and-safety/consumers/>

Styrene, Food and Packaging	
Food/Beverage (No man-made styrene contact)	Styrene Levels Measured (parts per billion)
Cinnamon	170-39,000
Beer	10-200
Beef	5.3-6.4
Coffee Beans	1.6-6.4
Strawberries	0.37-3.1
Peanuts	1-2.2
Wheat	0.4-2

FOR COMPARISON:
Styrene exposure level from a polystyrene cup:
5-10
parts per billion



Bans Don't Work – and Polystyrene foam foodservice is a small part of litter (1.5%). While all litter should be reduced, polystyrene foam foodservice packaging makes up only 1.5 percent of litter, according to a May 2012 national report by environmental consulting firm Environmental Resources Planning. Banning a product like polystyrene foam foodservice ware and substituting it with a heavier product will not reduce litter. *Substituting one type of litter for another is not a smart strategy.* For example, when San Francisco placed restrictions on the use of certain plastic foodservice products, the city found that alternatives became more littered. (Source: "The City of San Francisco Streets Litter Re-audit 2008, prepared for the City of San Francisco Environment Department, July 4, 2008, http://sfenvironment.org/downloads/library/2008_litter_audit.pdf)

Landfills, Biodegradation – According to the most recent USEPA Characterization of Municipal Solid Waste report – link http://www.epa.gov/osw/nonhaz/municipal/pubs/MSWcharacterization_fnl_060713_2_rpt.pdf, all plastic foodservice products contribute approximately 1% of waste generated, whereas paper and paperboard make up the largest components of MSW materials generated (28%). Landfills are not filling up with polystyrene foam or plastics – they are filling up with paper and paperboard as the largest contributors.

While popular culture has led many to believe that burying our nation's garbage in landfills is sort of like creating big compost heaps, modern landfills are specifically designed to minimize decomposition. The small amount of degradation that does occur in a landfill often generates methane, a much more potent greenhouse gas than CO₂. Products like polystyrene foam are inert and do not break down in landfills – that is a positive attribute. The Biodegradable Products Institute (BPI), a not-for-profit association of key individuals and groups from government, industry, and academia, has a mission to education manufacturers, legislators and consumers about the importance of scientifically based standards for compostable materials which biodegrade in large composting facilities. Under their “Myths of Biodegradation”, BPI states:

Myth: Biodegradable products are the preferred environmental solution because waste simply biodegrades in the landfill.

Reality: Nothing biodegrades in a landfill because nothing is *supposed* to.

<http://www.bpiworld.org/Default.aspx?pageId=190439>

Small Part of Litter – According to a 2012 study, commonly used polystyrene foam foodservice products make up 1.5 percent of litter. The report compiled information from nineteen litter surveys conducted in the U.S. and Canada from 1994 to 2009, including a 2008 national survey of 240 sites. Evaluating only the surveys conducted since 2000 yields an even lower median value of 1.1 percent. (Source: “[The Contribution of Polystyrene Foam Food Service Products to Litter](#),” Environmental Resources Planning, Gaithersburg, MD, May 2012)

Composting: Not a Simple Solution – Many people believe that communities could easily compost paper-based and other “biodegradable” foodservice products. But it's not that simple. These used foodservice items would still need to be collected, separated and delivered to a large-scale composting facility, of which there are few in the U.S. In the absence of such a facility, these products generally end up in landfills. Once in landfills, they do not readily break down because modern landfills are actually designed to retard decomposition.

Environmental Footprint – A full environmental picture is critical when comparing foodservice options. It's easy to focus only on a product's end of life since that's what consumers see – but the environmental footprint of any product includes all of its impacts, such as raw material use, resources used in manufacture, fuel use and emissions in transport and more (see Sanitation above). Polystyrene foodservice packaging uses less energy and resources to manufacture than comparable paper-based products, leaving a lighter footprint. For example, a polystyrene foam cup requires about 50% less energy to produce – and creates significantly fewer greenhouse gas emissions – than a similar coated paper-based cup with its corrugated sleeve. A link to the release of the study (<http://www.americanchemistry.com/Media/PressReleases/Transcripts/ACC-news-releases/New-Study-Polystyrene-Foam-Cups-and-Plates-Use-Less-Energy.html>) as well as to the full peer reviewed study is provided here - <http://plasticfoodservicefacts.com/Life-Cycle-Inventory-Foodservice-Products>.

Used polystyrene foodservice can help contribute an energy solution, too. Polystyrene foodservice also can be used as a source of energy. Polystyrene actually has more captured energy than coal. This energy is released when municipal solid waste is processed at waste-to-energy recovery facilities. The U.S. has 86 such facilities that can recapture this energy and put it to good use, creating a domestic energy source to power homes and business.

The Polystyrene Foam Industry Creates and Maintains Jobs in New York State

The Polystyrene foam food service industry provides a ripple effect in creating and maintaining jobs across the U.S. in

New York State alone, four companies with nine facilities employ 1,563 people and contribute \$47.5 million in payroll and pay \$2.3 million in state taxes. These companies make products used by government agencies, restaurants, grocers, schools, hospitals and food establishments in New York. This legislation would severely impact job creating companies. Also, polystyrene food service products generally are more economical--whole sale costs can be two, three, four, up to five times less than their paper-based counterparts. Such a mandate would also create a ripple down effect and elevate the costs to local businesses who use food service.

Fiscal impact of the ban on polystyrene foam foodservice in the Dutchess County, NY

An independent fiscal impact study conducted on what the replacement costs to consumers, businesses and agencies is very relevant for Dutchess County. The average cost premium to replace polystyrene foam foodservice purchases will be 60% for the lowest cost replacement scenario. In other words, for every \$1 spent now by Dutchess County chain foodservice establishments on polystyrene foam food service ware, the cost to purchase complying alternative food service ware would require an expenditure of \$1.60. The average cost premium will jump to 140% if compostable replacements are required, or an expenditure of \$2.40. The full report can be viewed at:

<http://plasticfoodservicefacts.com/Pages/Fiscal-Economic-Impacts-of-a-Ban-on-Plastic-Foam-Foodservice-and-Drink-Containers-in-New-York-City.pdf> .

The Dutchess County proposed ban on Foodservice Ware will not Achieve Sustainability Goals. Sustainability goals for Dutchess County will not be met by promoting compostable products where opportunities to compost these products don't currently exist in the County, and by failing to examine recycling opportunities for polystyrene foam as many communities have. A polystyrene foam cup, for example, requires one-third of the energy to produce compared to some compostable alternatives. Paper cups would also be banned as part of the ordinance since they are not recyclable.

Polystyrene foodservice saves fuel, energy and greenhouse gas emissions to make and transport. Polystyrene foodservice uses less energy and resources to manufacture than alternatives. And as very lightweight plastic, shipping polystyrene saves precious fuel. A full life cycle study highlights the tradeoffs and advantages of polystyrene foam foodservice from an overall energy, air, water and waste perspective (<http://plasticfoodservicefacts.com/Life-Cycle-Inventory-Foodservice-Products>)

Recycling solutions for post-use foodservice are emerging – new grant program for polystyrene foam announced.

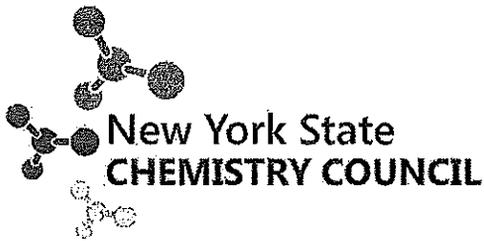
Polystyrene foam foodservice packaging is being recycled in many communities across the country. The foodservice industry through its Foam Recycling Coalition's launched a new grant program this year to help fund infrastructure for the collection, processing and marketing of products made for polystyrene foam (www.fpi.org/recyclefoam). The grant program targets post-consumer polystyrene foam products such as foodservice packaging (i.e., cups, plates, bowls, clamshells, cafeteria trays); egg cartons; meat trays; and protective "transport" packaging. Communities like Dutchess County, NY, can apply for such grants.

A new study by the Berkeley Research Group (*Market Analysis of End Uses for Recycled Post-Consumer expanded polystyrene food ware*) found nearly 140 companies that process or use recycled post-consumer foam, including food ware, in the U.S. and Canada

(<http://www.fpi.org/fpi/files/ccLibraryFiles/Filename/000000000779/BRG%20Memo%20Report%2010-9-2014.pdf>) .

Banning this product when it can be recycled is not a sustainable solution.

Variety of Polystyrene Recycling Programs: Polystyrene foodservice products are recycled in various ways in many communities, depending on the local solid waste program. If a community, a school, a restaurant or supermarket wants to take advantage of plastic foodservice products, there are several ways to make that happen. Recycling polystyrene foam is fairly simple...but not easy. The plastic products must be collected (clean) and delivered to a facility close enough to make the transport economical. (Because foam packaging is more than 90% air, most programs "densify" the products to get more on a truck.) The plastic is then simply ground up, heated and recast into plastic pellets that then are sold to companies that make products such as "green building" construction materials, consumer products and plastic packaging.



Hon. Marcus Molinaro
Dutchess County Executive
County Office Building
22 Market Street
Poughkeepsie, NY 12601

October 24, 2017

Re: **LETTER-IN-OPPOSITION to Resolution #2017180** prohibiting the use of polystyrene food and beverage containers by chain food service establishments

The referenced **Resolution #2017180** would ban the use of polystyrene foam containers by chain restaurants, food service establishments and food vendors to package food or beverages.

The **New York State Chemistry Council**, the domestic trade association representing many of the major chemical manufacturers, re-formulators, distributors and users engaged in the business of chemistry in the state, **STRONGLY OPPOSES** the Resolution on behalf of its member companies.

Few substances are as versatile and compatible for food service ware use and beverage containers than polystyrene. It keeps hot food hot and cold food cold and doesn't transmit the heat or cold to the user's body. Most food customers prefer its use and it is thus a staple of modern "food on the go" containers.

Polystyrene has been approved by the U.S. Food and Drug Administration (FDA) as safe to use in contact with all hot and cold foods and beverages. Thus there is no unsafe migration of chemicals from the plastic foam into consumables, contrary to claims by activists. Moreover, if polystyrene is disposed of in solid waste management facilities (constituting about 1% of total solid waste), it is a stable polymer compound that does not biodegrade therein and thus cause any environmental damage via air emissions, or land or groundwater pollution.

Polystyrene, with the recyclable "chasing arrows" polymer designation of "6," is now collected in many municipal, single-stream curbside recycling collection programs, including the City of Los Angeles and in New York, the County of Madison and City of Yonkers. Moreover, polystyrene containers are lighter than paperboard and other alternative substance containers, and thus utilize less energy to manufacture, distribute and transport over its life cycle. Interestingly, one of the possible final end uses of polystyrene is as an energy source itself in waste-to-energy (WTE) recovery facilities, since polystyrene has more captured energy per ton than coal.

Steve Rosario, Executive Director
Margaret Gorman, Director of Government Relations
Tom Faist, Legislative Counsel

11 North Pearl Street, #1400
Albany, NY 12207
518.426.9516

Finally, New York is home to a number of polystyrene container manufacturers and distributors that employ hundreds, if not thousands of New Yorkers, many in Upstate areas that continue to be hard hit economically. These are good paying blue collar manufacturing jobs.

The unique thermal properties of polystyrene and its lightweight versatility and stability add greatly to the safety and utility of food service ware and beverage containers that are widely used in commercial and retail food service applications. This, coupled with its overall energy efficiency and recyclability, plus its importance to the State's manufacturing economy, makes it an eminently desirable and reliable product.

As such, for the reasons stated herein, on behalf of its member companies, the New York State Chemistry Council **STRONGLY OPPOSES Resolution #2017180** and **URGES THAT IT BE VETOED.**

Respectfully submitted,

Stephen M. Rosario, CAE
Executive Director

Margaret Gorman
Director Governmental Relations

Thomas W. Faist, Esq.
Legislative Counsel

Steve Rosario, Executive Director
Margaret Gorman, Director of Government Relations
Tom Faist, Legislative Counsel

11 North Pearl Street, #1400
Albany, NY 12207
518.426.9516

There is a website that shows different programs – schools, restaurants, cities, national parks – and also videos and websites that walk through the various aspects of this type of plastic recycling:
http://www.plasticfoodservicefacts.com/main/Environment/Recycling_1.html

Where do people have access to Polystyrene Foam Foodservice is Actually Recycled? 65 cities in California (representing 22% of the population) have PS foam recycling going on – both foodservice polystyrene foam and what we call EPS (expanded PS foam) protective packaging (shape molded transport packaging, PS “peanuts”/loose fill). There are recyclers like Nepco in California that collect, process and make picture frames out of the recycled polystyrene foam. This includes the City of Los Angeles, our nation’s second largest city, which collects polystyrene packaging in its curbside recycling program. The LA program accepts foodservice products, like foam cups and take-out containers—residents simply clean and toss them in the blue bin with their other recyclables.

Can Polystyrene Foam Recycling Opportunities be available to Dutchess County?

Waste disposal, including recycling, is generally a local municipal issue – with cities, counties, and jurisdictions developing and implementing programs that best fit their needs. Recyclables like polystyrene foam can be included in those programs, if the various stakeholders involved work together.

The plastics foodservice industry has experience and interest in working with localities, and feels positive programs like recycling, recovery from waste, and waste reduction go a long way in meeting sustainability goals for government and industry alike. The new grant program from the Foam Recycling Coalition described above is another effort aimed at adding polystyrene foam to city recycling programs across the U.S.

Summary

Based on the benefits of polystyrene foodservice as part of the waste management solution (rather than the problem), as well as energy recovery and fiscal benefits, **we would urge Dutchess County to not act on this proposed ban (resolution 2017180) and in fact work with our industry to educate the County on real solutions to address litter and solid waste.** We appreciate your feedback, and please let us know if you have any questions on this material, or need additional information.

Feel free to contact us if you have questions, or need additional information.

Regards,

Sincerely,



Mike Levy, Director
Plastics Foodservice Packaging Group (PFPG)
(tel: 202-249-6614; e-mail: mike_levy@americanchemistry.com)

Steve Rosario, Government Relations
American Chemistry Council
(tel: 770-421-2991; e-mail: steve_rosario@americanchemistry.com)



October 12, 2017
The Honorable Marcus Molinaro
Dutchess County Executive
22 Market St.
Poughkeepsie, NY 12601

Subject: Resolution 2017180: Local Law No. ____ for 2017—A Local Law of the County of Dutchess, New York Regulating the Use of Polystyrene Foam Disposable Food Service Ware in Chain Food Service Establishments—ACC/PFPG Oppose Comments

Dear Honorable Marcus Molinaro and fellow Dutchess County Legislators,

We are writing to express our concerns about Resolution 2017180, the proposed Law ____ for the County of Dutchess, regulating the use of polystyrene foam disposable food service ware by chain food service establishments in Dutchess County. Creative Sales & Marketing sells disposable packaging throughout the New York/New Jersey metropolitan area representing the leading suppliers and manufacturers of the plastics food service packaging products, including polystyrene food and beverage containers.

Our company has many employees who live and work in New York State, sell products in Dutchess County, pay taxes, employ people in hard to find jobs in the Northeast, and will be adversely impacted by this proposal.

We support the Dutchess County's ongoing efforts to make it more sustainable, including efforts to reduce waste and improve recycling. However well-intentioned, banning polystyrene foam food service ware and requiring the use of alternative compostable products, when an infrastructure to adequately compost these products does not exist, will not improve sustainability in the County.

We urge the County Legislature to defer this bill, since the premise is based on information that shows polystyrene food service products are not recycled—when in fact they are recycled in many communities.

Sincerely,

Bob Greenstein
Sales Representative

The foregoing Resolution No. 2017180, Local Law No. 5 of 2017, was laid on desks on September 11, 2017, and considered on October 10, 2017.

Discussion at that time proceeded as follows:

Legislator Flesland made a motion to table the foregoing resolution, duly seconded by Legislator Incoronato.

Roll call on the foregoing motion resulted as follows:

AYES: 3 Flesland, Incoronato, Forman

NAYS: 21 Borchert, Miccio, Bolner, Strawinski, Kakish, Sagliano, Black, Roman, Truitt, Brendli, Rieser, Jeter-Jackson, Tyner, Metzger, Landisi, Pulver, Horton, Coviello, Thomes, Surman, Washburn

ABSENT: 1 Amparo

Motion defeated.

Legislator Flesland questioned if the Legislature opened itself up to a lawsuit for only going after one business and asked if polystyrene should be banned completely.

Scott L. Volkman, Legislative Counsel, stated "I wasn't prepared to offer an opinion on the subject but I have reviewed the legality of the constitutionality of a targeted ban like this with the county attorney's office and we're comfortable with that in its current form it would be acceptable to ban it the way it's supposed."

Roll call vote at that time resulted as follows:

AYES: 23 Borchert, Miccio, Bolner, Strawinski, Kakish, Sagliano, Black, Roman, Truitt, Brendli, Rieser, Jeter-Jackson, Tyner, Metzger, Incoronato, Forman, Landisi, Pulver, Horton, Coviello, Thomes, Surman, Washburn

NAYS: 1 Flesland

ABSENT: 1 Amparo

Resolution adopted.

The County Executive held a public hearing on the foregoing Local Law on October 25, 2017 and signed it into Law on November 3, 2017. The effective date of the Local Law was November 13, 2017.

Government Services and Administration Roll Call

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

Present: 11
 Absent: 1
 Vacant: 0

Resolution:
 Motion:

Total : 11 0
 Yes No
 Abstentions: 0

2017180 A LOCAL LAW PROHIBITING THE USE OF POLYSTYRENE FOAM DISPOSABLE FOOD SERVICE WARE

Date: October 5, 2017

Roll Call Sheets

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

Present: 24
 Absent: 1
 Vacant: 0

Resolution:
 Motion:

Total: 3 21
 Yes No
 Abstentions: 0

*Move to Table
 AFJI*

10.10.17

2017180

Roll Call Sheets

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

Present: 24 Resolution: Total: 23 1
 Absent: 1 Motion: Yes No
 Vacant: 0 Abstentions: 0

2017180 A LOCAL LAW PROHIBITING THE USE OF POLYSTYRENE FOAM DISPOSABLE FOOD SERVICE WARE

Date: October 10, 2017

RESOLUTION NO. 2017181

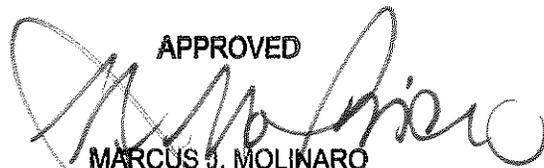
RE: LOCAL LAW NO. 4 OF 2017, A LOCAL LAW AMENDING
ARTICLE XII OF THE DUTCHESS COUNTY ADMINISTRATIVE
CODE (THE DEPARTMENT OF PLANNING AND DEVELOPMENT)

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

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

CA-106-17
AMS/kvh/G-0179
08/14/17

Fiscal Impact: None

APPROVED

MARCUS J. MOLINARO
COUNTY EXECUTIVE
Date 10/30/2017

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 October 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 October 2017.


CAROLYN MORRIS, CLERK OF THE LEGISLATURE

LOCAL LAW NO. 4 of 2017

RE: LOCAL LAW NO. 4 OF 2017, A LOCAL LAW AMENDING
ARTICLE XII OF THE DUTCHESS COUNTY ADMINISTRATIVE
CODE (THE DEPARTMENT OF PLANNING AND DEVELOPMENT)

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

SECTION 1. LEGISLATIVE INTENT. The County Legislature hereby determines that it is in the best interest of the County to amend Article XII of the Dutchess County Code, Section 12.01(e), to make the powers and duties of the Commissioner of Planning and Development consistent with those powers and duties as provided for in General Municipal Law Section 239-m.

SECTION 2. AMENDMENT TO THE DUTCHESS COUNTY ADMINISTRATIVE CODE. Upon adoption of this Local Law, the Dutchess County Administrative Code, Article X11, Section 12.01(e) shall be amended and shall read as follows:

Section 12.01. Commissioner of Planning and Development; Powers and Duties. The Commissioner of Planning and Development shall:

(e) Make recommendations concerning site plans, special permits, variances, adoption or amendment of zoning regulations, adoption or amendment of comprehensive plans pursuant to town, village or city law, and any other authorizations issued under provisions of a zoning or local law, upon referral from municipalities pursuant to Section 239-m of the General Municipal Law; and

SECTION 3. EFFECTIVE DATE. This local law is not subject to any mandatory or permissive referendum and, therefore, shall take effect immediately upon full compliance with all requisite statutes and laws applicable to its adoption and promulgation.

The foregoing Resolution No. 2017181, Local Law No. 4 of 2017, was laid on desks on September 11, 2017, and considered on October 10, 2017.

Roll call vote at that time resulted as follows:

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

NAYS: 0

ABSENT: 1 Amparo

Resolution adopted.

The County Executive held a public hearing on the foregoing Local Law on October 25, 2017 and signed it into Law on October 30, 2017. The effective date of the Local Law was November 8, 2017.

Government Services and Administration Roll Call

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

Present: 11
 Absent: 1
 Vacant: 0

Resolution: ✓
 Motion:

Total : 11 0
 Yes No
 Abstentions: 0

2017181 A LOCAL LAW AMENDING ARTICLE XII OF THE DUTCHESS COUNTY ADMINISTRATIVE CODE (THE DEPARTMENT OF PLANNING AND DEVELOPMENT)

Date: October 5, 2017

Roll Call Sheets

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

Present: 24
 Absent: 1
 Vacant: 0

Resolution:
 Motion:

Total : 24 0
 Yes No
 Abstentions: 0

2017181 A LOCAL LAW AMENDING ARTICLE XII OF THE DUTCHESS COUNTY ADMINISTRATIVE CODE (THE DEPARTMENT OF PLANNING AND DEVELOPMENT)

Date: October 10, 2017

On motion by Legislator Thomes, 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.

John McBride, Town of Poughkeepsie, spoke in opposition to the Republican Commissioner of Elections.

Phil Earner, Dover, spoke in support of Dutchess County increasing the amount of green jobs.

Constantine Kazolias, City of Poughkeepsie, spoke regarding the City buses and urged the merger of the police departments.

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

There being no further business, the Chairman adjourned the meeting at 7:43 p.m.