

Attendance Sheets

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

Date: 5/14/12

Regular Meeting
of the
Dutchess County Legislature

Monday, May14, 2012

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

Roll Call by the Clerk of the Legislature

PRESENT: 25 Amparo, Bolner, Borchert, Doxsey, Flesland, Forman, Horton,
Hutchings, Incoronato, Kelsey, Jeter-Jackson, MacAvery,
Miccio, Perkins, Rolison, Roman, Serino, Sherman, Surman,
Thomes, Traudt, Tyner, Weiss, White, Wilkinson

ABSENT: 0

PRESENT, LATE: 0

Quorum Present.

Pledge of Allegiance to the Flag, invocation by Reverend Dr. E. Robert Geehan
of the Reformed Church of Poughkeepsie, followed by a moment of silent
meditation.

Commendations and Proclamations

Proclamation: Lyme Disease Awareness Month May 2012

Proclamation: Recognizing May as Mental Health Month

Proclamation: Declaring May 15, 2012, to be "Mayday for Mandate
Relief" and urging the mandate relief council to take swift action in
submitting a package of mandate relief proposals to Governor
Cuomo and the State Legislature to be voted on this session

Commendation: "Get Hooked on Fishing" Ken and Cheryl Rose

Commendation: Larry Hertz

Commendation: Eagle Scout James Patrick Devens

Commendation: USS ROOSEVELT (DDG-80)

Presentation

Mary Kaye Vrba – Tourism update – Travel Talks, attached hereto.

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

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

Chairman Rolison entertained a motion to approve the April 16 minutes.

The April 16, 2012 minutes were adopted.

COMMUNICATIONS RECEIVED FOR THE MAY 2012 BOARD MEETING

Received the following from the Beekman Town Clerk:

Notice of Adjournment of Public Hearing regarding Proposed Local Law No. 1 of 2012, repealing Chapter 83 of the Code of Beekman regarding adopting new flood damage prevention law,

Notice of Adjournment of Public Hearing regarding a Local Law No. 2 of 2012, for the maintenance of abandoned and neglected properties.

Received from Dutchess County Clerk, Summary of Mortgage Tax Received April 2012.

Received from the Poughkeepsie Deputy Town Clerk, Notice of Public Hearing regarding amendments to Chapter 210 of the Zoning Law in regard to regulations pertaining to signs.

Received from Senator Stephen M. Saland, acknowledgement of Resolution 2012070, requesting state legislation providing for mandate relief with respect to the Board of Elections.

Received from Dutchess County Comptroller, Audit of Lexington Center for Recovery, January 1, 2010 through December 31, 2010.

Received from Commissioner of Finance, list of miscellaneous refunds processed March 15, 2012 through April 15, 2012.

Dutchess County Tourism Facts – 2010

- 4.1 million visitors spend \$450 million per year
 - Shopping \$103 million
 - Food \$105 million
 - Lodging \$84.6 million
 - Recreation \$31.2 million
 - Transportation \$127.2 million
- Generate \$27.9 million in state revenues and \$29.1 million in local revenues
- Generates \$1.9 million in revenue for Dutchess County from the bed tax
- Supports 8,717 full and part-time jobs and \$244.7 million in payroll, who then spend \$ in the community : real estate , banks, schools, gas, food, clothing, insurance, landscaping/lawn care/health facilities/accounting services
- Dutchess County Travel Guide – 80,000 distributed annually
- Print Ad placements in 2011 in 12 national magazines resulted in 19,797 inquiries and e-blasts resulted in 416,000 views (NY Times, Manhattan Media, Oprah Magazine, More, Ladies Home Journal, Good Housekeeping)
- Digital Advertising created 37 million impressions with 8,700 click through to website
- Social Media: 1400 followers on Facebook, 2,264 on Twitter, Website 400,000 annual visitors
- E-Newsletters: Consumer 7,600 & Business 320
- Publicity Efforts: 42 travel writers visited, generated 1 million of media coverage
- Volunteers in office (and events) 1192 hours which equals \$17,045
- Obtained \$48,507 in donated services/goods for 2011
- Trade Shows: National Tour Association/American Bus Association/Destinations of NY Group Show/NY Times/Hartford Courant/AARP
- Each bus/coach that visits generates \$12,000 to \$15,000 in spending
- DCT received 2 awards from Empire State Tourism: Farm Fresh Program for Economic Development and for new Advertising Campaign – You Deserve Dutchess, Simple and Sophisticated.
- Maintain 19 tourism information centers throughout the county.
- DCT offers hospitality training to tourism organizations/businesses.
- Events for 2012: HV Outdoor Expo, Culinary Conference, Tourism Rally Day.

Challenges

- Convention services
- Filming requests- full length and commercials



Dutchess County Economic Development Corporation

3 NEPTUNE ROAD, SUITE Q17, POUGHKEEPSIE, NEW YORK 12601-5545
845/463-4000 • 800/445-3131 • www.dutchesstourism.com

RESOLUTION NO. 2012121

RE: STANDARDIZATION OF JAIL ELECTRONIC KEY MANAGEMENT SYSTEM EQUIPMENT IN ACCORDANCE WITH GENERAL MUNICIPAL LAW SECTION 103(5)

Legislators Roman, Flesland, Borchert, and Doxsey offer the following and move its adoption:

WHEREAS, the Dutchess County Director of Physical Facilities has advised that the standardization of an electronic key management system for the Dutchess County Jail is necessary and has outlined the system's immediate and long term benefits in a memorandum dated April 16, 2012 which is annexed hereto, and

WHEREAS, the memorandum of the Director of Physical Facilities incorporates the benefits of such standardization which include: operational efficiency; increased safety and security; space efficiency; improved access accountability; and compliance with NYS Commission of Corrections Minimum Standards Section 7003.9 Key Control, and

WHEREAS, Assistant Jail Administrator Major Todd Gdula has outlined his reasons for procuring a standardized electronic key management system in a memorandum dated April 16, 2012 which is annexed hereto, and

WHEREAS, the Jail Project Architect Christopher J. Talarczyk of Labella Associates, P.C., has outlined his reasons for the implementation of a standardized electronic key management system to the current security design of the control upgrades at the Jail facility and why the "Key Watcher" system by "Morse Watchmans Incorporated" is the preferred vendor in a letter dated April 16, 2012 which is annexed hereto, and

WHEREAS, standardizing the Jail electronic key management system will result in cost savings for Dutchess County, both in the short-term, for design and implementation of the new security control upgrade project at the Jail, and in the long term for the Jail's operation and maintenance, and

WHEREAS, New York State General Municipal Law Section 103(5) provides that this Legislature may adopt a resolution by a three-fifths (3/5) vote of all of its members authorizing standardization of equipment, now therefore, be it

RESOLVED, the Dutchess County Legislature hereby approves and authorizes the standardization of Jail electronic key management system equipment for the reasons outlined above and in accordance with General Municipal Law Section 103(5), and it is further

RESOLVED, that the Department of Public Works in conjunction with the Division of Central Services, is hereby authorized to order the Jail electronic key management system equipment from the manufacturer, Morse Watchmans, Incorporated.

CA-77-12 JMF/ca/G-0222 4/17/12 Fiscal Impact: See attached statement

STATE OF NEW YORK
COUNTY OF DUTCHESS

ss:

APPROVED
M. J. Molinaro
MARCUS J. MOLINARO
COUNTY EXECUTIVE
5/25/12

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 14th day of May, 2012, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 14th day of May 2012.

Carolyn Morris
CAROLYN MORRIS, CLERK OF THE LEGISLATURE

FISCAL IMPACT STATEMENT

NO FISCAL IMPACT PROJECTED

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

Total Current Year Cost \$ _____

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: Roman Yasiejko, R.A., Director of Physical Facilities

Public Safety Roll Call

<i>District</i>	<i>Name</i>	<i>Yes</i>	<i>No</i>
District 8 - City and Town of Poughkeepsie	Rolison*	✓	
District 3 - Town of LaGrange	Borchert*		
District 6 - Town of Poughkeepsie	Flesland*		
District 10 - City of Poughkeepsie	Jeter-Jackson*	absent	
District 16 - Towns of Fishkill, East Fishkill and City of Beacon	MacAvery*		
District 1 - Town of Poughkeepsie	Doxsey		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Wilkinson (VC)		
District 4 - Town of Hyde Park	Serino		
District 5 - Town of Poughkeepsie	Roman (C)		
District 9 - City of Poughkeepsie	White		
District 12 - Town of East Fishkill	Weiss		
District 23 - Town/Village of Pawling, Beekman and East Fishkill	Thomes		

Present: 11
 Absent: 1
 Vacant: 0

Resolution: ✓
 Motion: —

Total: 11 0
 Abstentions: 0 Yes No

2012121 STANDARDIZATION OF JAIL ELECTRONIC KEY MANAGEMENT SYSTEM EQUIPMENT IN ACCORDANCE WITH GENERAL MUNICIPAL LAW SECTION 103 (5)

Date: 5/10/12

Roll Call Sheets

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

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

2012121 STANDARDIZATION OF JAIL ELECTRONIC KEY MANAGEMENT
 SYSTEM EQUIPMENT IN ACCORDANCE WITH GENERAL
 MUNICIPAL LAW SECTION 103 (5)

Date: 5/14/12

Roll call vote on the foregoing Resolution No. 2012121 resulted as follows:

AYES: 25 Amparo, Bolner, Borchert, Doxsey, Flesland, Forman, Horton, Hutchings, Incoronato, Kelsey, Jeter-Jackson, MacAvery, Miccio, Perkins, Rolison, Roman, Serino, Sherman, Surman, Thomes, Traudt, Tyner, Weiss, White, Wilkinson

NAYS: 0

ABSENT: 0

Resolution adopted.

RESOLUTION NO. 2012122

RE: AMENDING THE 2012 ADOPTED COUNTY BUDGET AS IT PERTAINS TO STOP-DWI PROGRAM (A.3315)

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

WHEREAS, the STOP-DWI Coordinator has advised that the New York State Governor's Traffic Safety Committee has awarded Dutchess County \$60,000 to participate in a statewide Impaired Driving Enhancement Initiative, and

WHEREAS, the intent of this initiative is to revitalize and enhance the visibility of the STOP-DWI Program through multi-agency coordinated impaired driving checkpoints targeting identified statewide crackdown weekends and include assignment of certified Drug Recognition Experts to aid in the identification and apprehension of drivers impaired by drugs other than alcohol, and

WHEREAS, it is necessary to amend the 2012 Adopted County Budget to provide for the receipt and expenditure of these funds, now therefore, be it

RESOLVED, that the Commissioner of Finance is authorized, empowered and directed to amend the 2012 Adopted County Budget as follows:

APPROPRIATIONS

Increase

A3315.4412	Grant Project Costs	\$60,000
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REVENUES

Increase

A3315.43890.07	Impaired Driving Grant	\$60,000
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CA-79-12 LDF/ca/G-1142 4/24/12 Fiscal Impact: See attached statement

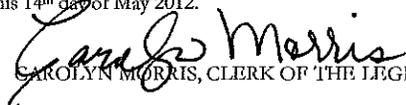
APPROVED

MARCUS J. MOLINARO
 COUNTY EXECUTIVE
 Date 5/16/2012

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 14th day of May 2012, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have herunto set my hand and seal of said Legislature this 14th day of May 2012.


 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 \$ 60,000

Total Current Year Revenue \$ 60,000
and Source

NYS Governors Traffic Safety Committee

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

Identify Line Items(s):

.4412 Grant Project Costs

Related Expenses: Amount \$ _____

Nature/Reason:

Anticipated Savings to County: _____

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

Additional Comments/Explanation:

Prepared by: Janet Silvestri

Public Safety Roll Call

District	Name	Yes	No
District 8 - City and Town of Poughkeepsie	Rolison*	✓	
District 3 - Town of LaGrange	Borchert*		
District 6 - Town of Poughkeepsie	Flesland*		
District 10 - City of Poughkeepsie	Jeter-Jackson*	absent	
District 16 - Towns of Fishkill, East Fishkill and City of Beekmantown	MacAvery*		
District 1 - Town of Poughkeepsie	Doxsey		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Wilkinson (VC)		
District 4 - Town of Hyde Park	Serino		
District 5 - Town of Poughkeepsie	Roman (C)		
District 9 - City of Poughkeepsie	White		
District 12 - Town of East Fishkill	Weiss		
District 23 - Town/Village of Pawling, Beekmantown and East Fishkill	Thomes		

Present: 11
 Absent: 0
 Vacant: 0

Resolution: ✓
 Motion: —

Total: 11 0
 Yes No
 Abstentions: 0

2012122 AMENDING THE 2012 ADOPTED COUNTY BUDGET AS IT PERTAINS TO STOP-DWI PROGRAM (A.3315)

Date: 5/10/12

Roll Call Sheets

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

Present: 25
 Absent: 0
 Vacant: 0

Resolution: ✓
 Motion: —

Total : 25 0
 Yes No
 Abstentions: 0

2012122 AMENDING THE 2012 ADOPTED COUNTY BUDGET AS IT PERTAINS TO STOP-DWI PROGRAM (A.3315)

Date: 5/14/12

Roll call vote on the foregoing Resolution No. 2012122 resulted as follows:

AYES: 25 Amparo, Bolner, Borchert, Doxsey, Flesland, Forman, Horton, Hutchings, Incoronato, Kelsey, Jeter-Jackson, MacAvery, Miccio, Perkins, Rolison, Roman, Serino, Sherman, Surman, Thomes, Traudt, Tynner, Weiss, White, Wilkinson

NAYS: 0

ABSENT: 0

Resolution adopted.

RESOLUTION NO. 2012123

RE: AUTHORIZING ACCEPTANCE OF FUNDING UNDER THE WORKFORCE INVESTMENT ACT AND TRADE ADJUSTMENT ASSISTANCE ACT

Legislators BOLNER, SERINO, and HORTON offer the following and move its adoption:

WHEREAS, the United States Congress enacted the Workforce Investment Act of 1998 (WIA) and the Trade Adjustment Assistance (TAA) Program to provide the framework for a unique workforce preparation and employment system designed to meet both 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 PY11 T-1B Dislocated Worker funds for the period 07/01/11 through 06/30/13, PY11 T-1B Adult funds for the period 07/01/11 through 06/30/13, PY11 T-1B Administration funds for the period 07/01/11 through 06/30/1, for the operation of PY11 T-1B Dislocated Worker Supplemental Funds for the period 03/01/12 through 10/31/12 and for the operation of FY 2010 TAA funding for the period 10/01/09 through 9/30/12 and, now, therefore, be it

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

APPROPRIATIONS

Increase (Decrease)

FY 2010

CD6292.2010.4813	TAA Participant Funding	\$ (4,015)
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PY 2011

CD6292.2011.4804	T-1B Administration	1,182
CD6292.2011.4801	T-1B Adult	5,572
CD6292.2011.4802	T-1B Dislocated Worker	5,065
CD6292.2011.4807	T-1B Dislocated Worker Supplemental	<u>22,540</u>
		<u>\$30,344</u>

REVENUES

Increase (Decrease)

FY 2010

CD6292.2010.47910.22	TAA Participant Funding	\$ (4,015)
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PY 2011

CD6292.2011.47910.04	T-1B Administration	1,182
CD6292.2011.47910.01	T-1B Adult	5,572
CD6292.2011.47910.03	T-1B Dislocated Worker	5,065
CD6292.2011.47910.18	T-1B Dislocated Worker Supplemental	<u>22,540</u>
		<u>\$30,344</u>

CA-75-12 LK/CRC/ca/G-1263 4/13/12
STATE OF NEW YORK

Fiscal Impact: See attached statement

ss:
COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk and which was adopted by said Legislature on the 14th day of May 2012, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 14th day of May 2012.

MARCUS J. MOLINARO
COUNTY EXECUTIVE

CAROLYN MORRIS, CLERK OF THE LEGISLATURE

Date 5/25/2012

FISCAL IMPACT STATEMENT

NO FISCAL IMPACT PROJECTED

APPROPRIATION RESOLUTIONS

(To be completed by requesting department)

Total Current Year Cost \$ 30,344

Total Current Year Revenue \$ 30,344
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: Laraine Kautz - Executive Director Dutchess County Workforce Investment Board

Family and Human Services Committee Roll Call

<i>District</i>	<i>Name</i>	<i>Yes</i>	<i>No</i>
District 8 - City and Town of Poughkeepsie	Rolison*	✓	
District 3 - Town of LaGrange	Borchert*		
District 6 - Town of Poughkeepsie	Flesland*		
District 10 - City of Poughkeepsie	Jeter-Jackson*	<i>absent</i>	
District 16 - Towns of Fishkill, East Fishkill and City of Beacon	MacAvery*		
District 4 - Town of Hyde Park	Serino (VC)		
District 7 - Town of Hyde Park	Perkins		
District 9 - City of Poughkeepsie	White		
District 13 - Towns of LaGrange, Union Vale, and Wappinger	Bolner (C)		
District 21 - Town of East Fishkill	Horton		
District 23 - Town/Village of Pawling, Beekman and East Fishkill	Thomes		
District 25 - Amenia, Stanford, Washington, Pleasant Valley	Kelsey		

Present: 11
 Absent: 0
 Vacant: 0

Resolution: ✓
 Motion: —

Total: 11 0
 Yes No
 Abstentions: 0

2012123 AUTHORIZING ACCEPTANCE OF FUNDING UNDER THE
 WORKFORCE INVESTMENT ACT AND TRADE ADJUSTMENT
 ASSISTANCE ACT

Date: 5/10/12

Roll Call Sheets

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

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

2012123 AUTHORIZING ACCEPTANCE OF FUNDING UNDER THE
 WORKFORCE INVESTMENT ACT AND TRADE ADJUSTMENT
 ASSISTANCE ACT

Date: 5/14/12

Roll call vote on the foregoing Resolution No. 2012123 resulted as follows:

AYES: 25 Amparo, Bolner, Borchert, Doxsey, Flesland, Forman, Horton, Hutchings, Incoronato, Kelsey, Jeter-Jackson, MacAvery, Miccio, Perkins, Rolison, Roman, Serino, Sherman, Surman, Thomes, Traudt, Tynner, Weiss, White, Wilkinson

NAYS: 0

ABSENT: 0

Resolution adopted.

RESOLUTION NO. 2012124

RE: REAPPOINTMENTS TO THE DUTCHESS COUNTY BOARD OF HEALTH

Legislators BOLNER, SERINO, KELSEY, and HORTON offer the following and move its adoption:

WHEREAS, the Dutchess County Board of Health is compiled of members appointed pursuant to the provisions of the Dutchess County Charter and the New York State Public Health Law, and

WHEREAS, the terms of several of the Board have expired, and

WHEREAS, Karen Desmond, Helen M. Bunyi and Agnes M. Compagnone, have expressed an interest in being reappointed to the Board, now, therefore, be it

RESOLVED, that the Dutchess County Legislature does hereby appoint Karen Desmond, Helen M. Bunyi and Agnes M. Compagnone, said terms commencing immediately, and expiring as set forth below, as a member of the Dutchess County Board of Health.

Reappointments

Term Expires

Karen Desmond
16 Watch Hill Drive
Fishkill, NY 12524
(At Large Appointment)

December 31, 2017

Helen M. Bunyi, R.N.
5 Gaskin Road
Poughkeepsie, NY 12601
(City of Poughkeepsie Appointment)

December 31, 2017

Agnes M. Compagnone
92 Delevan Avenue
Beacon, NY 12508
(City of Beacon Appointment)

December 31, 2017

APPROVED

MARCUS J. MOLINARO
COUNTY EXECUTIVE

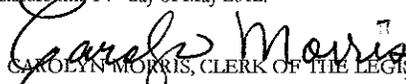
STATE OF NEW YORK
COUNTY OF DUTCHESS

ss:

Date 5/25/2012

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 14th day of May 2012, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 14th day of May 2012.


CAROLYN MORRIS, CLERK OF THE LEGISLATURE

Family and Human Services Committee Roll Call

District	Name	Yes	No
District 8 - City and Town of Poughkeepsie	Rolison*	✓	
District 3 - Town of LaGrange	Borchert*		
District 6 - Town of Poughkeepsie	Flesland*		
District 10 - City of Poughkeepsie	Jeter-Jackson*	<i>absent</i>	
District 16 - Towns of Fishkill, East Fishkill and City of Beacon	MacAvery*		
District 4 - Town of Hyde Park	Serino (VC)		
District 7 - Town of Hyde Park	Perkins		
District 9 - City of Poughkeepsie	White		
District 13 - Towns of LaGrange, Union Vale, and Wappinger	Bolner (C)		
District 21 - Town of East Fishkill	Horton		
District 23 - Town/Village of Pawling, Beekman and East Fishkill	Thomes		
District 25 - Amenia, Stanford, Washington, Pleasant Valley	Kelsey		

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

2012124 REAPPOINTMENTS TO DUTCHESS COUNTY BOARD OF HEALTH

Date: 5/10/12

Roll Call Sheets

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

Present: 25

Absent: 0

Vacant: 0

Resolution: ✓

Motion:

Total: 25 0

Yes No

Abstentions: 0

2012124 REAPPOINTMENTS TO DUTCHESS COUNTY BOARD OF HEALTH

Date: 5/14/12

Roll call vote on the foregoing Resolution No. 2012124 resulted as follows:

AYES: 25 Amparo, Bolner, Borchert, Doxsey, Flesland, Forman, Horton,
Hutchings, Incoronato, Kelsey, Jeter-Jackson, MacAvery,
Miccio, Perkins, Rolison, Roman, Serino, Sherman, Surman,
Thomes, Traudt, Tyner, Weiss, White, Wilkinson

NAYS: 0

ABSENT: 0

Resolution adopted.

RESOLUTION NO. 2012125

RE: AUTHORIZING EXECUTION OF CONTINUING GRANT AGREEMENT WITH THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION FOR THE POUGHKEEPSIE/DUTCHESS COUNTY TRANSPORTATION COUNCIL (THE METROPOLITAN PLANNING ORGANIZATION-MPO)

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

WHEREAS, on May 1, 1982, the Poughkeepsie-Dutchess Transportation Council was designated by the Governor of the State of New York as the Metropolitan Planning Organization (MPO) responsible, together with the State, for the comprehensive, continuing, and cooperative transportation planning process for the Poughkeepsie urbanized area, and

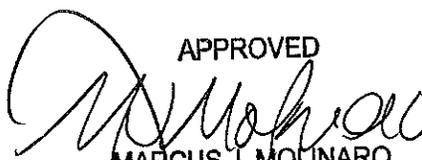
WHEREAS, since May 1, 1982, Dutchess County has hosted the staff of the MPO and has executed continuing grant agreements with the New York State Department of Transportation through which the County has received State and Federal funds to support the operations of its MPO, and

WHEREAS, in late 2005, Dutchess County executed, as the State required, a Supplemental Agreement (Resolution No. 205246) which extended those agreements through March 31, 2012 to coincide with the period covered by the Federal Transportation Reauthorization Act, and

WHEREAS, the Supplement Agreement will expire on March 31, 2012, and the New York State Department of Transportation is requiring Dutchess County execute a new Agreement entitled "MPO Host Agency Federal-Aid Project Agreement" (Comptroller's Contract No. C033462), copy attached, as a prerequisite for the County to continue to receive State and Federal funds for the MPO, now therefore, be it

RESOLVED, that the County Executive is authorized to execute the MPO Host Agency Federal-Aid Project Agreement in substantially the form attached hereto.

CA-78-12
ADR/kvh/C-1097A
4/2012
Fiscal Impact: See attached statement

APPROVED

MARCUS J. MOLINARO
COUNTY EXECUTIVE
Date 5/24/2012

STATE OF NEW YORK
ss:
COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 14th day of May 2012, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 14th day of May 2012.


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:

This resolution pertains to a new Host Agency Agreement between the New York State Department of Transportation (NYSDOT) and Dutchess County for the Poughkeepsie-Dutchess County Transportation Council (PDCTC). The PDCTC is the designated Metropolitan Planning Organization (MPO) for the local metropolitan area, responsible for carrying out the federally-funded transportation planning process in the County. This is the third such Host Agency Agreement between NYSDOT and Dutchess County since 1982 and is required for the funding of transportation planning activities by the PDCTC.

Prepared by: Mark Debald, Transportation Program Administrator

MPO HOST AGENCY FEDERAL-AID PROJECT AGREEMENT
COMPTROLLER'S CONTRACT NO. C033462

This Agreement, effective this first day of April 2012, is by and between the New York State Department of Transportation ("NYSDOT"), having its principal office at 50 Wolf Road, Albany, NY 12232
on behalf of New York State ("State"),

and

Dutchess County ("Host Agency"), acting by and through Marcus J. Molinaro, County Executive, its duly authorized representative, whose office is located at 22 Market Street, Poughkeepsie, New York 12601, on behalf of itself and as a duly-designated member of the below-mentioned Metropolitan Planning Organization.

This agreement provides for the funding of transportation planning activities described in an approved Unified Planning Work more fully described by Schedules A and B annexed to this agreement or one or more duly executed and approved Supplemental Schedules to this agreement (as more specifically described in such Schedules A and B or supplemental Schedules A and B, the "Project").

WITNESSETH:

WHEREAS, the Governor, with the concurrence of the units of local governments composing and representing the entirety of the Dutchess County portion of the Poughkeepsie-Newburgh NY-NJ and New York-Newark NY-NJ-CT urbanized areas has designated the Poughkeepsie-Dutchess County Transportation Council (PDCTC) as the metropolitan planning organization for the Dutchess County portion of the Poughkeepsie-Newburgh NY-NJ and New York-Newark NY-NJ-CT Urbanized Area (hereinafter, "the MPO"); and

WHEREAS, the United States has provided Federal funds to the State for the purpose of carrying out Federal-Aid Highway and public transit projects pursuant to various Transportation Acts as administered by the Federal Highway Administration ("FHWA") and the Federal Transit Administration ("FTA") including, but not limited to those listed below; and

WHEREAS, the New York State Highway Law authorizes the Commissioner to use federal aid available under the Federal-aid highway acts; and

WHEREAS, 23 USC §134 requires and provides for designated metropolitan planning organizations to develop transportation plans and programs for urbanized areas, including long range plans, transportation improvement programs, and congestion management systems for those areas which constitute transportation management areas under §134; provides for coordination between metropolitan planning organizations, sets forth factors to be considered in planning, sets requirements for federal certification of the metropolitan planning process, provides for MPO consultation in Transportation Plan and TIP coordination and also provides for the selection of projects from TIPs, authorizes abbreviated plans and programs for smaller urbanized areas, and imposes additional requirements for certain non-attainment areas, under §134; and

WHEREAS, 23 USC §142, authorizes, and provides that Federal funds apportioned under 23 USC §104 shall be available to finance high occupancy vehicle (HOV) lane, "park and ride" facility, and other projects on federal-aid highways, in order to encourage the use of buses to increase the traffic capacity of Federal-aid systems; carry out any capital transit project eligible for assistance under chapter 5303 of Title 49, provide access and coordination between intercity and rural bus service, and provide connections between highway transportation and other modes of transportation; and

MPO Host Agency Federal-Aid Project Agreement

WHEREAS, 23 USC §142 also makes Federal Highway Trust Fund moneys and Federal funds apportioned under 23 USC §104 and administered by the FTA, available for capital improvements to carry out any capital transit project eligible for assistance under chapter 5303 of Title 49, provide access and coordination between intercity and rural bus service, and to provide connections between highway transportation and other modes of transportation; and

WHEREAS, 23 USC §142 also provide for the accommodation of passenger, commuter, or high speed rail, magnetic levitation system, and other types of highway and non-highway public mass transit facilities within the existing rights-of-way of federal-aid highways, if such accommodation will not adversely affect automotive safety; and authorize federal approval of the use of sums apportioned under 23 USC §142; and

WHEREAS, 23 USC §142(d) and 49 USC app §1607 provide that the designated projects carried out in an urbanized area shall be subject to the metropolitan planning requirements of 23 USC §134; and

WHEREAS, 23 USC §104 provides for the apportionment of certain FHWA and FTA Federal-aid funds to the State for the purpose of carrying out the provisions of 23 USC §134 as described above; and

WHEREAS, 23 USC §104 further provides that the State shall, in turn, make these funds available to the metropolitan planning organizations designated by the Governor and by units of local government representing no less than 75% of the affected population, as being responsible for carrying out the provisions of 23 USC §134 for each urbanized area; and

WHEREAS, the MPO determines the distribution and appropriate use of FHWA and FTA funds for the metropolitan area as provided by 23 USC §105 and §134, and applicable Federal and State regulations, as described in the annual Unified Planning Work Program; and

WHEREAS, the MPO is a consortium of governmental agencies and transportation providers that acts through Member Agencies for purposes of necessary financial and contractual arrangements; and

WHEREAS, the MPO and its constituent Member Agencies, has designated the Host Agency to undertake certain transportation planning activities as described in the annual Unified Planning Work Program and thereafter seek reimbursement by NYSDOT for Project work performed by or through the Host Agency in accordance with this Agreement;

MPO Host Agency Federal-Aid Project Agreement

NOW, THEREFORE, the parties agree as follows:

1. Documents forming this Agreement: The Agreement consists of the following —

Agreement Form: this document titled "MPO Host Agency Federal Aid Project Agreement;"

Schedule "A": Description of Project Funding;

Schedule "B": Description of Scope of Work, Tasks, Products and Duration;

EXHIBIT A: Host Agency Record Keeping Guidelines;

Appendix "A": New York State Required Contract Provisions; and

APPENDIX A-1: Supplemental Title VI Provisions (Civil Rights Act)

APPENDIX B: Requirements for Federally Aided Transportation Projects

2. Funding: For Project work performed by or through the Host Agency in accordance with this Agreement, NYSDOT will reimburse eligible Project costs in accordance with NYSDOT policy and procedures and this agreement.

2.1.1 Federal Aid: NYSDOT will administer federal-aid funds and will fund federal participating costs incurred in connection with the work covered by this Agreement, subject to the limitations set forth on **Schedule A**.

2.1.2 In no event shall this Agreement create any obligation to the Host Agency for funding or reimbursement of any amount in excess of the lesser of the amount stated in Schedules A (or duly executed Supplemental Schedules A), or actual eligible Project costs.

2.1.3 All items included by the Host Agency in the record of costs shall be in conformity with accounting procedures acceptable to NYSDOT, the FHWA and the FTA. Such items shall be subject to audit by the State, the FHWA and FTA.

3. General Description of Work: The Host Agency shall perform or cause the performance of the Scope of Work described in Schedule B by or one or more supplemental Schedules B as may hereafter be executed by the parties hereto and approved as required for a State contract.

3.1 FHWA and FTA Approval. The Unified Planning Work Program shall be subject to review and approval by FHWA and FTA.

4. Funding of Project Costs: Project costs as set forth in Schedule A will be funded or reimbursed as follows:

4.1 Federal Aid: NYSDOT will reimburse Member agencies 100% of the Federally reimbursable costs incurred in connection with the work covered by this agreement, subject to limitations set forth in Schedule A and in accordance with NYSDOT policy and procedures, net of Host Agency in-kind-service costs committed to as the local match in the UPWP.

4.1.1 Participating Items: NYSDOT shall apply Federal funds only for that work and those items that are approved activities described in the annual UPWP and performed in accordance with the approved UPWP budget. Included among the participating items are the actual cost of employee personal services, leave and fringe benefit additives are eligible for Federal participation. Other participating costs include materials and supplies, equipment use charges or other Federal allowable participating costs directly identifiable with the eligible project as provided in OMB circular A-87.

MPO Host Agency Federal-Aid Project Agreement

4.1.2 Periodic Reimbursement: If the Host Agency finds it desirable to have reimbursement made periodically, upon the request and certification therefore by the Host Agency NYSDOT may make Federal-aid progress payments based on billings prepared by the Host Agency in accordance with NYSDOT requirements, based on costs incurred as disclosed by the records thereof, as required by the Project, with adjustments to be made after audit by NYSDOT, FHWA or FTA. These payments shall be made as moneys become available therefore.

4.2 Local Match: The Host Agency shall document local matching funds and local matching in-kind services in the amount(s) identified in Schedule A, and as further described in Schedule B. In-kind-service cost requirements as stated in OMB Circular A-87 include necessary and reasonable costs for proper and efficient administration of the program, must be attributable to, and properly allocable to the project or program, be applied in a consistent manner under generally accepted accounting principles appropriate to the circumstances, be permissible under federal and state laws and regulations, and cannot be claimed against more than one grant.

4.3 All items included by the Host Agency in the record of costs shall be in conformity with accounting procedures acceptable to NYSDOT, the FHWA and the FTA. Such items shall be subject to audit by the State, the FHWA and the FTA.

4.4 If Project work, including oversight thereof, is performed by NYSDOT, NYSDOT will provide in-kind service in accordance with the UPWP.

4.5 All items included by the Host Agency in the record of costs shall be in conformity with accounting procedures acceptable to NYSDOT (See **EXHIBIT A**), the FHWA and the FTA. Such items shall be subject to audit by the State, the FHWA and the FTA.

4.6 If the non-federal match share of Project work is funded by NYSDOT, NYSDOT will reimburse the Host Agency subject to limitations set forth in Schedule A and in accordance with the UPWP and with NYSDOT policy and procedures.

5. Supplemental Agreement or Supplemental Schedule A: Supplemental Agreements or supplemental Schedules A may be entered by the parties, and must be approved in the manner required for a State contract.

6. State Recovery of Ineligible Reimbursements: NYSDOT shall be entitled to recover from the Host Agency any moneys paid to the Host Agency pursuant to this Agreement which are subsequently determined to be ineligible for Federal Aid hereunder.

7. Loss of Federal Participation: If the Host Agency takes other action that results in the loss of federal participation for the costs incurred pursuant to this agreement, the Host Agency shall refund to the State all funding received from the State, and shall reimburse the State for 100% of all costs funded or reimbursed hereunder. The State may offset any other State or federal aid due to the Host Agency by such amount and apply such offset to such repayment obligation of the Host Agency.

8. Host Agency Liability:

8.1 The Host Agency shall be deemed the employer of the MPO staff connected with the performance of the work; and the Host Agency shall be responsible for any and all obligations attendant with performance of the ministerial duties and any and all obligations as an employer. If the Host Agency performs transportation planning work under this agreement with its own forces, the Host Agency specifically agrees that its agents or employees shall possess the experience and knowledge necessary to qualify them individually for the particular duties they perform; and therefore, the Host Agency shall be responsible for all damage to person or property arising from any act or negligence performed by or on behalf of the Host Agency, its agents or employees arising from the duties performed..

8.2 The Host Agency shall require its Contractors engaged to perform MP-related work via a written contract executed by and through the Host Agency for transportation planning services to protect, indemnify and save harmless the Host Agency and the State of New York from and against all liabilities, losses, claims, damages, judgments, penalties, causes of action, costs and expenses (including, without limitation, attorney's fees and

MPO Host Agency Federal-Aid Project Agreement

expenses) imposed upon or incurred by or asserted against the Host Agency or the State of New York resulting from, arising out of or relating to the performance of this Agreement.

9. Intellectual Property: In any contract, activity or project funded hereunder that involves the use or development of intellectual property hereunder the Host Agency shall provide for intellectual property rights as follows:

9.1 Identification of Intellectual Property of Contractors: Contractors are responsible for identifying and segregating in advance intellectual property which was or will be developed by such Contractor(s) or its/their subcontractors solely with non-federal funding.

9.2 Copyright: In accordance with Federal Government policy, the copyright of work produced under this Agreement, the copyrights to which are not otherwise acknowledged or provided for in this Agreement, shall remain with the authors. However, NYSDOT and the Host Agency reserve a royalty-free, perpetual, transferrable, nonexclusive and irrevocable license to reproduce, publish, modify or otherwise use for government purposes, in any media which exists currently or in the future, and to authorize others to use for government purposes any such copyrightable work produced under this Agreement with government funds.

9.3 Patents: For a contract for the performance of experimental, developmental or research work funded in whole or part by Federal funds, and the contractor is a small business firm or nonprofit organization, rights to inventions made under this Agreement shall be determined in accordance with 37 C.F.R. Part 401. The standard patent rights clause at 37 C.F.R. §401.14, as modified below, is hereby incorporated by reference.

(i) The terms "to be performed by a small business firm or domestic nonprofit organization" shall be deleted from paragraph (g) (1) of the clause;

(ii) paragraphs (g) (2) and (g) (3) of the clause shall be deleted; and

(iii) paragraph (l) of the clause, entitled "Communications" shall read as follows: "(l) Communications. All notifications required by this clause shall be submitted to the FHWA Division Office."

9.4 Trade Secrets: The parties shall not publicly disclose information they obtain as a result of this Agreement which is marked and identified as proprietary or confidential, and which consists of information such as trade secrets or commercial or financial information that is privileged or confidential within the meaning of §552(b)(4) of Title 5, U.S.C.

10. Independent Contractor: For the purposes of this Agreement, the officers and employees of the Host Agency, in accordance with the status of the Host Agency as an independent contractor, covenant and agree that they will conduct themselves consistent with such status, that they will neither hold themselves out as nor claim to be an officer or employee of the State by reason hereof, and that they will not by reason hereof, make any claim, demand or application to or for any right or privilege applicable to an officer or employee of the State, including, but not limited to, Workers Compensation coverage, Unemployment Insurance benefits, Social Security or Retirement membership or credit.

11. Contract Executory; Required Federal Authorization: It is understood by and between the parties hereto that this Agreement shall be deemed executory only to the extent of the moneys available to the State and no liability on account thereof shall be incurred by the State beyond moneys available for the purposes hereof. No phase of work for the project shall be commenced unless and until NYSDOT receives authorization from the Federal government.

12. Assignment or Other Disposition of Agreement: The Host Agency agrees not to assign, transfer, convey, sublet or otherwise dispose of this Agreement or any part thereof, or of its right, title or interest therein, or its power to execute such Agreement to any person, company or corporation without previous consent in writing of the Commissioner.

13. Term of Agreement: As to the Project and phase(s) described in Schedule(s) A executed herewith, this

MPO Host Agency Federal-Aid Project Agreement

agreement takes effect as of the date of this Master Agreement as first above written. This agreement takes effect as to the Project and phase(s) established in any duly executed and approved supplemental Schedule(s) A as of the date of such supplemental Schedule(s) A. This agreement shall remain in effect so long as federal aid funding authorizations are in effect and funds are made available pursuant to the laws controlling such authorizations and availabilities. However, if such authorizations or availabilities lapse and are not renewed, continued or reenacted, as to funds encumbered or available and to the extent of such encumbrances or availabilities, this agreement shall remain in effect for the duration of such encumbrances or availabilities. Although the liquidity of encumbrances or the availability of funds may be affected by budgetary hiatuses, a federal or State budgetary hiatus will not by itself be construed to lapse this agreement, provided any necessary federal or State appropriations or other funding authorizations therefor are eventually enacted.

14. NYSDOT Obligations: NYSDOT's responsibilities and obligations are as specifically set forth in this contract, and neither NYSDOT nor any of its officers or employees shall be responsible or liable, nor shall the Host Agency assert, make, or join in any claim or demand against NYSDOT, its officers or employees, for any damages or other relief based on any alleged failure of NYSDOT, its officers or employees, to undertake or perform any act, or for undertaking or performing any act, which is not specifically required or prohibited by this agreement.

15. Required Clauses: Attached hereto and made a part of this agreement as if set forth fully herein are Appendix A, standard clauses for all New York State contracts, Appendix A-1, Supplemental Title VI Provisions, and Appendix B, Requirements for Federally Aided Transportation Projects.

16. Reporting Requirements: The Host Agency agrees to comply with and submit to NYSDOT in a timely manner all applicable reports required under the provisions of this Agreement, the Procedures for Locally Administered Federal Aid Projects manual and in accordance with current Federal and State laws, rules, and regulations.

17. Notice Requirements:

1. All notices permitted or required hereunder shall be in writing and shall be transmitted either:
 - (a) Via certified or registered United States mail, return receipt requested;
 - (b) By facsimile transmission;
 - (c) By personal delivery;
 - (d) By expedited delivery service; or
 - (e) By e-mail

Such notices shall be addressed as follows or to such different addresses as the parties may from time-to-time designate:

New York State Department of Transportation (NYSDOT)

Name: D. Michele Bager

Title: Principal Capital Program Analyst

Address: Statewide Planning Bureau, Sixth Floor, 50 Wolf Rd., Albany, NY 12232

Telephone Number: 518-457-2092

Facsimile Number: 518-457-7943

E-Mail Address: mbager@dot.state.ny.us

Host Agency

Name: Kealy Salomon

Title: Commissioner, Department of Planning and Development, Dutchess County

Address: 27 High Street, 2nd Floor, Poughkeepsie, NY 12601

Telephone Number: 845-486-3600

Facsimile Number: 845-486-3610

E-Mail Address: ksalomon@co.dutchess.ny.us

MPO Host Agency Federal-Aid Project Agreement

MPO

Name: Mark Debald

Title: Transportation Program Administrator

Address: PDCTC, 27 High Street (2nd Floor), Poughkeepsie, NY 12601

Telephone Number: 845-486-3600

Facsimile Number: 845-486-3610

E-Mail Address: mdebald@co.dutchess.ny.us

2. Any such notice shall be deemed to have given either at the time of personal delivery or, in the case of expedited delivery service or certified or registered United States Mail, as of the date of first attempted delivery at the address and in the manner provided herein, or in the case of facsimile or email, upon receipt.

The parties may, from time to time, specify any new or different address in the United States as their address for purpose of receiving notice under this Agreement by giving fifteen (15) days written notice to the other party sent in accordance herewith. The parties agree to mutually designate individuals as their respective representatives for the purposes of receiving notices under this Agreement. Additional individuals may be designated in writing by the parties for the purposes of implementation and administration/billing, resolving issues and problems and/or for dispute resolution.

18. Electronic Contract Payments: The Host Agency shall provide complete and accurate supporting documentation of eligible Local expenditures as required by this contract, NYSDOT and the State Comptroller. Following NYSDOT approval of such supporting documentation, payment for invoices submitted by the Host Agency shall be rendered electronically, unless payment by paper check is expressly authorized by the Commissioner, in the Commissioner's sole discretion, due to extenuating circumstances. Such electronic payment shall be made in accordance with ordinary State procedures and practices. The contracting Local sponsor shall comply with the State Comptroller's procedures for all Federal and applicable State Aid to authorize electronic payments. Authorization forms are available at the State Comptroller's website at Office of the State Comptroller by email at epunit@osc.state.ny.us or by telephone at 518-402-4067. When applicable to State Marchiselli and other State reimbursement by the NYS Thruway, registration forms and instructions can be found at the NYSDOT Local Programs website at <https://www.nysdot.gov/divisions/operating/opdm/local-programs-bureau>. The Host Agency herein acknowledges that it will not receive payment on any invoices submitted under this Contract agreement if it does not comply with the applicable State Comptroller and / or NYS Thruway Authority's electronic payment procedures, except where the Commissioner has expressly authorized payment by paper check as set forth above.

SCHEDULE A

FEDERAL AID/LOCAL AGREEMENT - SCHEDULE A

Beginning Eligibility Date for Project Expenditure Reimbursement: 4/1/2012
 Project Completion Date: 3/31/2022

AGREEMENT PURPOSE: MAIN (Master) Agreement SUPPLEMENTAL Schedule No. _____ Administrative Correction

PROJECT DESCRIPTION: Develop and implement UPWP (Further detail in Schedule B)					
SOURCES OF PROJECT FUNDING ¹					
Project Period	FHWA Funds	FTA Funds	Local Non-Federal IKS Match	Total	
Carryover Savings pursuant to formula in accordance with Title 23 United States Code	\$815,294	\$34,706	\$53,125	\$903,125	
SFY 2012-13 pursuant to formula in accordance with Title 23 United States Code	\$598,391	\$120,196	\$44,912	\$763,499	
SFY 2013-14 pursuant to formula in accordance with Title 23 United States Code	\$628,310	\$126,206	\$47,157	\$801,674	
SFY 2014-15 pursuant to formula in accordance with Title 23 United States Code	\$659,726	\$132,516	\$49,515	\$841,757	
SFY 2015-16 pursuant to formula in accordance with Title 23 United States Code	\$692,712	\$139,142	\$51,991	\$883,845	
SFY 2016-17 pursuant to formula in accordance with Title 23 United States Code	\$727,348	\$146,099	\$54,590	\$928,037	
SFY 2017-18 pursuant to formula in accordance with Title 23 United States Code	\$763,715	\$153,404	\$57,320	\$974,439	
SFY 2018-19 pursuant to formula in accordance with Title 23 United States Code	\$801,901	\$161,074	\$60,186	\$1,023,161	

MPO Host Agency Federal-Aid Project Agreement

SFY 2019-20 pursuant to formula in accordance with Title 23 United States Code	\$841,996	\$169,128	\$63,195	\$1,074,319
SFY 2020-21 pursuant to formula in accordance with Title 23 United States Code	\$884,096	\$177,585	\$66,355	\$1,128,035
SFY 2021-22 pursuant to formula in accordance with Title 23 United States Code	\$928,301	\$186,464	\$69,673	\$1,184,437
TOTAL:	\$8,341,789	\$1,546,521	\$618,019	\$10,506,330

SCHEDULE B

SCHEDULE B: Project Scope of Work

General Requirements

The Host Agency:

- may contract for with third parties for the accomplishment of the Project in accordance with laws governing the Host Agency, applicable State and Federal law and requirements, including those of this contract;
- shall submit vouchers for payment under this contract in accordance with requirements of the State Comptroller therefore.

PROJECT SPECIFIC TASKS TO BE PERFORMED BY THE HOST AGENCY AND THE MPO CENTRAL STAFF AS ESTABLISHED IN THE UPWP.

DESCRIPTION OF PROJECT TASKS	DELIVERABLES	ELIGIBLE COSTS
<ul style="list-style-type: none"> • Provide staffing, necessary and appropriate office space, equipment, and other resources for the performance of the Project. 	<p>As per project(s) scope(s) as stated in approved (MPO) Unified Planning Work Programs.</p>	<p>Eligible costs must follow the requirements in: OMB Circular A-87 OMB, OMB Circular A-133, & State requirements;</p>
<ul style="list-style-type: none"> • Provide progress reporting of the activities undertaken. These activities include participation in the development and implementation of the UPWP, and the development of the core products and related necessary studies and activities - metropolitan transportation plan and the transportation improvement program - in a timely manner. 	<p>Reporting on a periodic basis consistent with MPO procedures and the requirements of 23 USC and 49 CFR.</p>	<p>49 CFR Part 18, Uniform Administrative Requirements for Grants and Cooperative Agreements to State and local governments (US DOT's regulations implementing Circular A-102); and 23 CFR Part 420, 450, and 500, and 49 CFR Part 613 (FHWA and FTA's regulations for Statewide and Metropolitan Transportation Planning FHWA reserves the right to determine which activities are eligible for funding.</p>
<ul style="list-style-type: none"> • Provide for financial reporting of the activities undertaken. • Provide support for the UPWP, the program of transportation planning activities. 	<p>Billing on a periodic basis commensurate with reporting (minimum once per year) consistent with MPO procedures and the requirements of 23 USC and 49 CFR. UPWP on a periodic basis consistent with the requirements of 23 USC and 49 CFR for approval by the Council</p>	<p>Eligible costs include reasonable, allowable direct costs such as compensation of employees for time devoted specifically to the performance of those awards, cost of materials expended specifically for the purpose of those awards, equipment, travel expenses incurred specifically to carry out the award and indirect costs as approved and certified in a cost allocation plan in the Operating Plan.</p>

EXHIBIT A

EXHIBIT A
Host Agency Record Keeping Guidelines

The following are the record keeping requirements for State reimbursement of participating direct costs on Federal-Aid/State Aid projects:

1. Progress Billings — After approval of the Agreement, the Host Agency may submit progress billings to NYSDOT for the Federal share, and the applicable State share of approved costs shall be supported as follows:

a) Contracts/Consultant Agreements - Billings for payments made on contracts or consultant agreements will be made on NYSDOT's Form FIN 421, as it may be amended, and supported by a copy of the applicable payment estimate(s) for contracts or consultant agreements.

b) Work by Municipal Employees - Billings for Municipal employees will be on NYSDOT's Form FIN 421, supported by Host Agency records for the period(s) covered by the billings. Only those Project costs as defined in applicable Federal regulations and incurred subsequent to the date of Federal Highway Administration authorization can be included in billings.

2. Non-Personal Service Costs — Copies of invoices or documentation showing amounts and notations as may be required to clearly identify the purpose of each item. Copies of employee reimbursement vouchers for travel or similar costs are not required with progress billings but must be retained by the Host Agency for subsequent audit.

a) NYSDOT will reimburse Municipal personal service, fringe benefits, non-personal service, and related costs which are clearly identifiable to a specific project. Local claims for reimbursement of such expenditures utilizes the same Form "FIN 421" processing procedure as is routinely used for reporting Consultant Payment Requests.

SAMPLE RESOLUTION

SAMPLE RESOLUTION BY Sponsor
(Locally Administered Project)
RESOLUTION NUMBER: _____

Authorizing the implementation, and funding in the first instance 100% of the federal aid-eligible costs, of a transportation federal-aid project, to fully fund the local share of federal-aid eligible and ineligible project costs, and appropriating funds therefore.

WHEREAS, a Project for the _____, _____ (the "Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs such program to be borne at the ratio of 80% Federal funds and 20% non-federal funds; and

NOW, THEREFORE, the _____ Board, duly convened does hereby

RESOLVE, that the _____ Board hereby approves the above-subject project; and it is hereby further

RESOLVED, that the _____ Board hereby authorizes the _____ of _____ to pay in the first instance 100% of the federal and non-federal share of the cost of the Project or portions thereof; and it is further

RESOLVED, that the sum of _____ is hereby appropriated from _____ [or, appropriated pursuant to _____] and made available to cover the cost of participation in the above phase of the Project; and it is further

RESOLVED, that the _____ of the _____ of the _____ of _____ be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid on behalf of the _____ of _____ with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of Project costs and permanent funding of the local share of federal-aid-eligible Project costs and all Project costs within appropriations therefor that are not so eligible, and it is further

RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project, and it is further

RESOLVED, this Resolution shall take effect immediately.

December 2011

APPENDIX A
STANDARD CLAUSES FOR NEW
YORK STATE CONTRACTS

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STANDARD CLAUSES FOR NYS CONTRACTS

The parties to the attached contract, license, lease, amendment or other agreement of any kind (hereinafter, "the contract" or "this contract") agree to be bound by the following clauses which are hereby made a part of the contract (the word "Contractor" herein refers to any party other than the State, whether a contractor, licenser, licensee, lessor, lessee or any other party):

1. **EXECUTORY CLAUSE.** In accordance with Section 41 of the State Finance Law, the State shall have no liability under this contract to the Contractor or to anyone else beyond funds appropriated and available for this contract.

2. **NON-ASSIGNMENT CLAUSE.** In accordance with Section 138 of the State Finance Law, this contract may not be assigned by the Contractor or its right, title or interest therein assigned, transferred, conveyed, sublet or otherwise disposed of without the State's previous written consent, and attempts to do so are null and void. Notwithstanding the foregoing, such prior written consent of an assignment of a contract let pursuant to Article XI of the State Finance Law may be waived at the discretion of the contracting agency and with the concurrence of the State Comptroller where the original contract was subject to the State Comptroller's approval, where the assignment is due to a reorganization, merger or consolidation of the Contractor's business entity or enterprise. The State retains its right to approve an assignment and to require that any Contractor demonstrate its responsibility to do business with the State. The Contractor may, however, assign its right to receive payments without the State's prior written consent unless this contract concerns Certificates of Participation pursuant to Article 5-A of the State Finance Law.

3. **COMPTROLLER'S APPROVAL.** In accordance with Section 112 of the State Finance Law (or, if this contract is with the State University or City University of New York, Section 355 or Section 6218 of the Education Law), if this contract exceeds \$50,000 (or the minimum thresholds agreed to by the Office of the State Comptroller for certain S.U.N.Y. and C.U.N.Y. contracts), or if this is an amendment for any amount to a contract which, as so amended, exceeds said statutory amount, or if, by this contract, the State agrees to give something other than money when the value or reasonably estimated value of such consideration exceeds \$10,000, it shall not be valid, effective or binding upon the State until it has been approved by the State Comptroller and filed in his office. Comptroller's approval of contracts let by the Office of General Services is required when such contracts exceed \$85,000 (State Finance Law Section 163.6.a).

4. **WORKERS' COMPENSATION BENEFITS.** In accordance with Section 142 of the State Finance Law, this contract shall be void and of no force and effect unless the Contractor shall provide and maintain coverage during the life of this contract for the benefit of such employees as are required to be covered by the provisions of the Workers' Compensation Law.

5. **NON-DISCRIMINATION REQUIREMENTS.** To the extent required by Article 15 of the Executive Law (also known as the Human Rights Law) and all other State and Federal statutory and constitutional non-discrimination provisions, the Contractor will not discriminate against any employee or applicant for employment because of race, creed, color, sex, national origin, sexual orientation, age, disability, genetic predisposition or carrier status, or marital status. Furthermore, in accordance with Section 220-e of the Labor Law, if this is a contract for the construction, alteration or repair of any public building or public work or for the manufacture, sale or distribution of materials, equipment or supplies, and to the extent that this contract shall be performed within the State of New York, Contractor agrees that neither it nor its subcontractors shall, by reason of race, creed, color, disability, sex, or national origin: (a) discriminate in hiring against any New York State citizen who is qualified and available to perform the work; or (b) discriminate against or intimidate any employee hired for the performance of work under this contract. If this is a building service contract as defined in Section 230 of the Labor Law, then, in accordance with Section 239 thereof, Contractor agrees that neither it nor its subcontractors shall by reason of race, creed, color, national origin, age, sex or disability: (a) discriminate in hiring against any New York State citizen who is qualified and available to perform the work; or (b) discriminate against or intimidate any employee hired for the performance of work under this contract. Contractor is subject to fines of \$50.00 per person per day for any violation of Section 220-e or Section 239 as well as possible termination of this contract and forfeiture of all moneys due hereunder for a second or subsequent violation.

6. **WAGE AND HOURS PROVISIONS.** If this is a public work contract covered by Article 8 of the Labor Law or a building service contract covered by Article 9 thereof, neither Contractor's employees nor the employees of its subcontractors may be required or permitted to work more than the number of hours or days stated in said statutes, except as otherwise provided in the Labor Law and as set forth in prevailing wage and supplement

schedules issued by the State Labor Department. Furthermore, Contractor and its subcontractors must pay at least the prevailing wage rate and pay or provide the prevailing supplements, including the premium rates for overtime pay, as determined by the State Labor Department in accordance with the Labor Law. Additionally, effective April 28, 2008, if this is a public work contract covered by Article 8 of the Labor Law, the Contractor understands and agrees that the filing of payrolls in a manner consistent with Subdivision 3-a of Section 220 of the Labor Law shall be a condition precedent to payment by the State of any State approved sums due and owing for work done upon the project.

7. NON-COLLUSIVE BIDDING CERTIFICATION. In accordance with Section 139-d of the State Finance Law, if this contract was awarded based upon the submission of bids, Contractor affirms, under penalty of perjury, that its bid was arrived at independently and without collusion aimed at restricting competition. Contractor further affirms that, at the time Contractor submitted its bid, an authorized and responsible person executed and delivered to the State a non-collusive bidding certification on Contractor's behalf.

8. INTERNATIONAL BOYCOTT PROHIBITION. In accordance with Section 220-f of the Labor Law and Section 139-h of the State Finance Law, if this contract exceeds \$5,000, the Contractor agrees, as a material condition of the contract, that neither the Contractor nor any substantially owned or affiliated person, firm, partnership or corporation has participated, is participating, or shall participate in an international boycott in violation of the federal Export Administration Act of 1979 (50 USC App. Sections 2401 et seq.) or regulations thereunder. If such Contractor, or any of the aforesaid affiliates of Contractor, is convicted or is otherwise found to have violated said laws or regulations upon the final determination of the United States Commerce Department or any other appropriate agency of the United States subsequent to the contract's execution, such contract, amendment or modification thereto shall be rendered forfeit and void. The Contractor shall so notify the State Comptroller within five (5) business days of such conviction, determination or disposition of appeal (2NYCRR 105.4).

9. SET-OFF RIGHTS. The State shall have all of its common law, equitable and statutory rights of set-off. These rights shall include, but not be limited to, the State's option to withhold for the purposes of set-off any moneys due to the Contractor under this contract up to any amounts due and owing to the State with regard to this contract, any other contract with any State department or agency, including any contract for a term commencing prior to the term of this contract, plus any amounts due and owing to the State for any other reason including, without limitation, tax delinquencies, fee delinquencies or monetary penalties relative thereto. The State shall exercise its set-off rights in accordance with normal State practices including, in cases of set-off pursuant to an audit, the finalization of such audit by the State agency, its representatives, or the State Comptroller.

10. RECORDS. The Contractor shall establish and maintain complete and accurate books, records, documents, accounts and other evidence directly pertinent to performance under this contract (hereinafter, collectively, "the Records"). The Records must be kept for the balance of the calendar year in which they were made and for six (6) additional years thereafter. The State Comptroller, the Attorney General and any other person or entity authorized to conduct an examination, as well as the agency or agencies involved in this contract, shall have access to the Records during normal business hours at an office of the Contractor within the State of New York or, if no such office is available, at a mutually agreeable and reasonable venue within the State, for the term specified above for the purposes of inspection, auditing and copying. The State shall take reasonable steps to protect from public disclosure any of the Records which are exempt from disclosure under Section 87 of the Public Officers Law (the "Statute") provided that: (i) the Contractor shall timely inform an appropriate State official, in writing, that said records should not be disclosed; and (ii) said records shall be sufficiently identified; and (iii) designation of said records as exempt under the Statute is reasonable. Nothing contained herein shall diminish, or in any way adversely affect, the State's right to discovery in any pending or future litigation.

11. IDENTIFYING INFORMATION AND PRIVACY NOTIFICATION. (a) Identification Number(s). Every invoice or New York State Claim for Payment submitted to a New York State agency by a payee, for payment for the sale of goods or services or for transactions (e.g., leases, easements, licenses, etc.) related to real or personal property must include the payee's identification number. The number is any or all of the following: (i) the payee's Federal employer identification number, (ii) the payee's Federal social security number, and/or (iii) the payee's Vendor Identification Number assigned by the Statewide Financial System. Failure to include such number or numbers may delay payment. Where the payee does not have such number or numbers, the payee, on its invoice or Claim for Payment, must give the reason or reasons why the payee does not have such number or numbers.

(b) Privacy Notification. (1) The authority to request the above personal information from a seller of goods or services or a lessor of real or personal property, and the authority to maintain such information, is found in Section 5 of the State Tax Law. Disclosure of this information by the seller or lessor to the State is mandatory.

The principal purpose for which the information is collected is to enable the State to identify individuals, businesses and others who have been delinquent in filing tax returns or may have understated their tax liabilities and to generally identify persons affected by the taxes administered by the Commissioner of Taxation and Finance. The information will be used for tax administration purposes and for any other purpose authorized by law. (2) The personal information is requested by the purchasing unit of the agency contracting to purchase the goods or services or lease the real or personal property covered by this contract or lease. The information is maintained in the Statewide Financial System by the Vendor Management Unit within the Bureau of State Expenditures, Office of the State Comptroller, 110 State Street, Albany, New York 12236.

12. EQUAL EMPLOYMENT OPPORTUNITIES FOR MINORITIES AND WOMEN. In accordance with Section 312 of the Executive Law and 5 NYCRR 143, if this contract is: (i) a written agreement or purchase order instrument, providing for a total expenditure in excess of \$25,000.00, whereby a contracting agency is committed to expend or does expend funds in return for labor, services, supplies, equipment, materials or any combination of the foregoing, to be performed for, or rendered or furnished to the contracting agency; or (ii) a written agreement in excess of \$100,000.00 whereby a contracting agency is committed to expend or does expend funds for the acquisition, construction, demolition, replacement, major repair or renovation of real property and improvements thereon; or (iii) a written agreement in excess of \$100,000.00 whereby the owner of a State assisted housing project is committed to expend or does expend funds for the acquisition, construction, demolition, replacement, major repair or renovation of real property and improvements thereon for such project, then the following shall apply and by signing this agreement the Contractor certifies and affirms that it is Contractor's equal employment opportunity policy that:

- (a) The Contractor will not discriminate against employees or applicants for employment because of race, creed, color, national origin, sex, age, disability or marital status, shall make and document its conscientious and active efforts to employ and utilize minority group members and women in its work force on State contracts and will undertake or continue existing programs of affirmative action to ensure that minority group members and women are afforded equal employment opportunities without discrimination. Affirmative action shall mean recruitment, employment, job assignment, promotion, upgradings, demotion, transfer, layoff, or termination and rates of pay or other forms of compensation;
- (b) at the request of the contracting agency, the Contractor shall request each employment agency, labor union, or authorized representative of workers with which it has a collective bargaining or other agreement or understanding, to furnish a written statement that such employment agency, labor union or representative will not discriminate on the basis of race, creed, color, national origin, sex, age, disability or marital status and that such union or representative will affirmatively cooperate in the implementation of the Contractor's obligations herein; and
- (c) the Contractor shall state, in all solicitations or advertisements for employees, that, in the performance of the State contract, all qualified applicants will be afforded equal employment opportunities without discrimination because of race, creed, color, national origin, sex, age, disability or marital status.

Contractor will include the provisions of "a", "b", and "c" above, in every subcontract over \$25,000.00 for the construction, demolition, replacement, major repair, renovation, planning or design of real property and improvements thereon (the "Work") except where the Work is for the beneficial use of the Contractor. Section 312 does not apply to: (i) work, goods or services unrelated to this contract; or (ii) employment outside New York State. The State shall consider compliance by a contractor or subcontractor with the requirements of any federal law concerning equal employment opportunity which effectuates the purpose of this section. The contracting agency shall determine whether the imposition of the requirements of the provisions hereof duplicate or conflict with any such federal law and if such duplication or conflict exists, the contracting agency shall waive the applicability of Section 312 to the extent of such duplication or conflict. Contractor will comply with all duly promulgated and lawful rules and regulations of the Department of Economic Development's Division of Minority and Women's Business Development pertaining hereto.

13. CONFLICTING TERMS. In the event of a conflict between the terms of the contract (including any and all attachments thereto and amendments thereof) and the terms of this Appendix A, the terms of this Appendix A shall control.

14. GOVERNING LAW. This contract shall be governed by the laws of the State of New York except where the Federal supremacy clause requires otherwise.

15. LATE PAYMENT. Timeliness of payment and any interest to be paid to Contractor for late payment shall be governed by Article 11-A of the State Finance Law to the extent required by law.

16. NO ARBITRATION. Disputes involving this contract, including the breach or alleged breach thereof, may not be submitted to binding arbitration (except where statutorily authorized), but must, instead, be heard in a court of competent jurisdiction of the State of New York.

17. SERVICE OF PROCESS. In addition to the methods of service allowed by the State Civil Practice Law & Rules ("CPLR"), Contractor hereby consents to service of process upon it by registered or certified mail, return receipt requested. Service hereunder shall be complete upon Contractor's actual receipt of process or upon the State's receipt of the return thereof by the United States Postal Service as refused or undeliverable. Contractor must promptly notify the State, in writing, of each and every change of address to which service of process can be made. Service by the State to the last known address shall be sufficient. Contractor will have thirty (30) calendar days after service hereunder is complete in which to respond.

18. PROHIBITION ON PURCHASE OF TROPICAL HARDWOODS. The Contractor certifies and warrants that all wood products to be used under this contract award will be in accordance with, but not limited to, the specifications and provisions of Section 165 of the State Finance Law, (Use of Tropical Hardwoods) which prohibits purchase and use of tropical hardwoods, unless specifically exempted, by the State or any governmental agency or political subdivision or public benefit corporation. Qualification for an exemption under this law will be the responsibility of the contractor to establish to meet with the approval of the State.

In addition, when any portion of this contract involving the use of woods, whether supply or installation, is to be performed by any subcontractor, the prime Contractor will indicate and certify in the submitted bid proposal that the subcontractor has been informed and is in compliance with specifications and provisions regarding use of tropical hardwoods as detailed in §165 State Finance Law. Any such use must meet with the approval of the State; otherwise, the bid may not be considered responsive. Under bidder certifications, proof of qualification for exemption will be the responsibility of the Contractor to meet with the approval of the State.

19. MACBRIDE FAIR EMPLOYMENT PRINCIPLES. In accordance with the MacBride Fair Employment Principles (Chapter 807 of the Laws of 1992), the Contractor hereby stipulates that the Contractor either (a) has no business operations in Northern Ireland, or (b) shall take lawful steps in good faith to conduct any business operations in Northern Ireland in accordance with the MacBride Fair Employment Principles (as described in Section 165 of the New York State Finance Law), and shall permit independent monitoring of compliance with such principles

20. OMNIBUS PROCUREMENT ACT OF 1992. It is the policy of New York State to maximize opportunities for the participation of New York State business enterprises, including minority and women-owned business enterprises as bidders, subcontractors and suppliers on its procurement contracts.

Information on the availability of New York State subcontractors and suppliers is available from:

NYS Department of Economic Development
Division for Small Business
30 South Pearl St -- 7th Floor
Albany, New York 12245
Telephone: 518-292-5220
Fax: 518-292-5884
<http://www.empire.state.ny.us>

A directory of certified minority and women-owned business enterprises is available from:

NYS Department of Economic Development
Division of Minority and Women's Business Development
30 South Pearl St -- 2nd Floor
Albany, New York 12245
Telephone: 518-292-5250
Fax: 518-292-5803
<http://www.empire.state.ny.us>

The Omnibus Procurement Act of 1992 requires that by signing this bid proposal or contract, as applicable, Contractors certify that whenever the total bid amount is greater than \$1 million:

- (a) The Contractor has made reasonable efforts to encourage the participation of New York State Business Enterprises as suppliers and subcontractors, including certified minority and women-owned business enterprises, on this project, and has retained the documentation of these efforts to be provided upon request to the State;
- (b) The Contractor has complied with the Federal Equal Opportunity Act of 1972 (P.L. 92-261), as amended;
- (c) The Contractor agrees to make reasonable efforts to provide notification to New York State residents of employment opportunities on this project through listing any such positions with the Job Service Division of the New York State Department of Labor, or providing such notification in such manner as is consistent with existing collective bargaining contracts or agreements. The Contractor agrees to document these efforts and to provide said documentation to the State upon request; and
- (d) The Contractor acknowledges notice that the State may seek to obtain offset credits from foreign countries as a result of this contract and agrees to cooperate with the State in these efforts.

21. RECIPROCITY AND SANCTIONS PROVISIONS. Bidders are hereby notified that if their principal place of business is located in a country, nation, province, state or political subdivision that penalizes New York State vendors, and if the goods or services they offer will be substantially produced or performed outside New York State, the Omnibus Procurement Act 1994 and 2000 amendments (Chapter 684 and Chapter 383, respectively) require that they be denied contracts which they would otherwise obtain. NOTE: As of May 15, 2002, the list of discriminatory jurisdictions subject to this provision includes the states of South Carolina, Alaska, West Virginia, Wyoming, Louisiana and Hawaii. Contact NYS Department of Economic Development for a current list of jurisdictions subject to this provision.

22. COMPLIANCE WITH NEW YORK STATE INFORMATION SECURITY BREACH AND NOTIFICATION ACT. Contractor shall comply with the provisions of the New York State Information Security Breach and Notification Act (General Business Law Section 899-aa; State Technology Law Section 208).

23. COMPLIANCE WITH CONSULTANT DISCLOSURE LAW. If this is a contract for consulting services, defined for purposes of this requirement to include analysis, evaluation, research, training, data processing, computer programming, engineering, environmental, health, and mental health services, accounting, auditing, paralegal, legal or similar services, then, in accordance with Section 163 (4-g) of the State Finance Law (as amended by Chapter 10 of the Laws of 2006), the Contractor shall timely, accurately and properly comply with the requirement to submit an annual employment report for the contract to the agency that awarded the contract, the Department of Civil Service and the State Comptroller

24. PROCUREMENT LOBBYING. To the extent this agreement is a "procurement contract" as defined by State Finance Law Sections 139-j and 139-k, by signing this agreement the contractor certifies and affirms that all disclosures made in accordance with State Finance Law Sections 139-j and 139-k are complete, true and accurate. In the event such certification is found to be intentionally false or intentionally incomplete, the State may terminate the agreement by providing written notification to the Contractor in accordance with the terms of the agreement.

25. CERTIFICATION OF REGISTRATION TO COLLECT SALES AND COMPENSATING USE TAX BY CERTAIN STATE CONTRACTORS, AFFILIATES AND SUBCONTRACTORS.

To the extent this agreement is a contract as defined by Tax Law Section 5-a, if the contractor fails to make the certification required by Tax Law Section 5-a or if during the term of the contract, the Department of Taxation and Finance or the covered agency, as defined by Tax Law 5-a, discovers that the certification, made under penalty of perjury, is false, then such failure to file or false certification shall be a material breach of this contract and this contract may be terminated, by providing written notification to the Contractor in accordance with the terms of the agreement, if the covered agency determines that such action is in the best interest of the State.

APPENDIX A-1

APPENDIX A-1: SUPPLEMENTAL TITLE VI PROVISIONS (CIVIL RIGHTS ACT)

To be included in all contracts

During the performance of this contract, the contractor, for itself, its assignees and successors in interest (hereinafter referred to as the "contractor") agrees as follows:

- (1) **Compliance with Regulations:** The contractor shall comply with the Regulation relative to nondiscrimination in Federally-assisted programs of the Department of Transportation of the United States, Title 49, Code of Federal Regulations, Part 21, and the Federal Highway Administration (hereinafter "FHWA") Title 23, Code of Federal Regulations, Part 200 as they may be amended from time to time, (hereinafter referred to as the Regulations), which are herein incorporated by reference and made a part of this contract.
- (2) **Nondiscrimination:** The Contractor, with regard to the work performed by it during the contract, shall not discriminate on the grounds of race, color, or national origin, sex, age, and disability/handicap in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The contractor shall not participate either directly or indirectly in the discrimination prohibited by 49 CFR, section 21.5 of the Regulations, including employment practices when the contract covers a program set forth in Appendix B of the Regulations.
- (3) **Solicitations for Subcontractors, Including Procurements of Materials and Equipment:** In all solicitations either by competitive bidding or negotiation made by the contractor for work to be performed under a subcontract, including procurements of materials or leases of equipment, each potential subcontractor or supplier shall be notified by the contractor of the contractor's obligations under this contract and the Regulations relative to nondiscrimination on the grounds of race, color, or national origin, sex, age, and disability/handicap.
- (4) **Information and Reports:** The contractor shall provide all information and reports required by the Regulations or directives issued pursuant thereto, and shall permit access to its books, records, accounts, other sources of information and its facilities as may be determined by NYSDOT or the FHWA to be pertinent to ascertain compliance with such Regulations, orders and instructions. Where any information required of a contractor is in the exclusive possession of another who fails or refuses to furnish this information the contractor shall so certify to NYSDOT's Office of Civil Rights or FHWA, as appropriate, and shall set forth what efforts it has made to obtain the information.
- (5) **Sanctions for Noncompliance:** In the event of the contractor's noncompliance with the nondiscrimination provisions of this contract, NYSDOT shall impose such contract sanctions as it or the FHWA may determine to be appropriate, including, but not limited to:
 - (a.) withholding of payments to the contractor under the contract until the contractor complies, and/or
 - (b.) cancellation, termination, or suspension of the contract, in whole or in part.
- (6) **Incorporation of Provisions:** The contractor shall include the provisions of paragraphs (1) through (6) in every subcontract, including procurements of materials and leases of equipment, unless exempt by the Regulations, or directives issued pursuant thereto.

The contractor shall take such action with respect to any subcontract or procurement as NYSDOT or the FHWA may direct as a means of enforcing such provisions including sanctions for non-compliance: Provided, however, that, in the event a contractor becomes involved in, or is threatened with, litigation with a subcontractor or supplier as a result of such direction, the contractor may request NYSDOT to enter into such litigation to protect the interests of NYSDOT, and, in addition, the contractor may request the United States to enter into such litigation to protect the interests of the United States.

APPENDIX B

APPENDIX B

Requirements for Federally Aided Transportation Projects

There is a substantial body of requirements that attach to the use of Federal highway or transportation aid. These requirements create or overlay processes, procedures, documentary requirements, authorizations, approvals and certifications that may be substantially greater or different from those that are not funded with Federal aid and proceed under applicable State and local laws, customs and practices.

FEDERAL HIGHWAY ADMINISTRATION AIDED PROJECTS

Under Title 23 of the United States Code NYSDOT is responsible for the administration of transportation projects in New York State to which NYSDOT provides Federal highway or transportation aid. Through this Agreement, which provides or is associated with such funding, NYSDOT delegates various elements of project and funding administration as described elsewhere in this Agreement. In undertaking a federally aided project, the Municipality, Authority, Sponsor or Project Manager designated under this Agreement with Federal-aid funding or project administration undertakes to proceed in compliance with all the applicable Federal aid requirements.

NYSDOT has, in cooperation with FHWA, assembled the body of Federal-aid requirements, together with information, NYSDOT procedures, and practices in its "Procedures for Locally Administered Federal-Aid Projects" manual (available both in hard copy and through NYSDOT's web site at <http://www.dot.state.ny.us/pubs/localproj/local.html>). In addition, the Municipality, Authority, Sponsor or Project Manager designated under this Agreement with Federal-aid funding or project administration that enters Federally-aided project construction contracts is required to physically incorporate into all its Federally-aided construction contracts and subcontracts thereunder the provisions that are contained in Form FHWA-1273 (available from NYSDOT or electronically at <http://www.fhwa.dot.gov/programadmin/contracts/1273.htm>).

In addition to the referenced requirements, the attention of Municipality or Sponsor hereunder is directed to the following requirements and information:

Non Discrimination/EEO/DBE/MBE Requirements

The Municipality or Sponsor and its contractors agree to comply with Executive Order 11246, entitled "Equal Employment Opportunity" and Department of Transportation regulations (49CFR Parts 21, 23, 25, 26 and 27) and the following:

1. Non Discrimination: No person shall, on the ground of race, color, creed, national origin, sex, age or handicap, be excluded from participation in, or denied the benefits of or be subject to discrimination under the Project funded through this Agreement.
2. Equal Employment Opportunity: In connection with the execution of this Agreement, the Municipality's or Sponsor's contractors or subcontractors shall not discriminate against any employee or applicant for employment because of race, religion, age, color, sex, or national origin. Such contractors shall take affirmative actions to ensure that applicants are employed, and that employees are treated during their employment, without regard to their race, religion, color, sex, national origin or age. Such actions shall include, but not be limited to, the following: employment, upgrading, demotion or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship.
3. Disadvantaged Business Enterprises: In connection with the performance of this Agreement, the Municipality or Sponsor shall cause its contractors to cooperate with the State in meeting its commitments and goals with regard to the maximum utilization of disadvantaged business enterprises and will use its best efforts to ensure that disadvantaged business enterprises will have the maximum practicable opportunity to compete for subcontract work under this Agreement. Also, in this connection the Municipality or Sponsor shall cause its contractors to undertake such actions as may be necessary to comply with Section 105(f) of the Surface Transportation Assistance Act of 1982, as implemented in 49CFR Part 23.

In addition, the Municipality or Sponsor (also referred to as "recipients" below) shall cause such contractors and

subcontractors to agree to abide by the statements in paragraphs (1) and (2) below. These statements are, by reference, made part of this Agreement and must be included in all subsequent agreements between the Contractor and any subcontractor and in all UMTA-assisted contracts between recipients or subrecipients and any contractor.

- (1) **"Policy:** It is the policy of the Department of Transportation that minority business enterprises as defined in 49CFR Part 23 shall have the maximum opportunity to participate in the performance of contracts financed in whole or in part with Federal funds under this agreement. Consequently, the MBE requirements of 49CFR Part 23 apply to this Agreement."
- (2) **"MBE Obligation:** The recipient or its contractor agrees to ensure that minority business enterprises as defined in 49CFR Part 23 have the maximum opportunity to participate in the performance of contracts and subcontracts financed in whole or in part with Federal funds provided under this agreement. In this regard, all recipients or contractors shall take all necessary and reasonable steps in accordance with 49CFR Part 23 to ensure that minority business enterprises have the maximum opportunity to compete for and perform contracts. Recipients and their contractors shall not discriminate on the basis of race, color, national origin, or sex in the award and performance of DOT-assisted contracts."

Catalog of Federal Domestic Assistance ("CFDA") Identification Number

OMB Circular A-133 as to Federal-aid recipients' responsibilities regarding identification and accounting for awards and expenditures by CFDA Number.

The municipal project sponsor is required to identify in its accounts all Federal awards received and expended, and the Federal programs under which they were received. Federal program and award identification shall include, as applicable, the CFDA title and number, award number and year, name of the Federal agency, and name of the pass-through entity.

The CFDA number for the Federal-aid Highway Planning and Construction program is 20.205.

FEDERAL TRANSIT ADMINISTRATION AIDED PROJECTS

Where Project also receives direct funding from the Federal Transit Administration ("FTA"), refer to FTA grant requirements within applicable FTA agreements with Sponsor. (Go to web site: <http://www.fta.dot.gov/library/policy/tpcr.html>).

Federal Single Audit Requirements:

Non-Federal entities that expend \$300,000 or more in a year in Federal awards from all sources are required to comply with the Federal Single Audit Act provisions contained in U.S. Office of Management and Budget (OMB) Circular No. A-133, "Audits of States, Local Governments, and Non-Profit Organizations." Non-Federal entities that expend Federal awards from a single source may provide a program specific audit, as defined in the Circular. Non-Federal entities that expend less than \$300,000 in a year in Federal awards from all sources are exempt from Federal audit requirements for that year, except as noted in §3052.215(a), but records must be available for review or audit by appropriate officials of the Federal agency, the New York State Department of Transportation, the New York State Comptroller's Office and the U.S. General Accounting Office (GAO).

Non-Federal entities are required to submit a copy of all audits, as described above, within 30 days of issuance, to the New York State Department of Transportation, Contract Audit Bureau, 50 Wolf Road – 1st Floor, Albany, NY 12232.

Public Works and Capital Projects Roll Call

<i>District</i>	<i>Name</i>	<i>Yes</i>	<i>No</i>
District 8 - City and Town of Poughkeepsie	Rolison*	<input checked="" type="checkbox"/>	<input type="checkbox"/>
District 3 - Town of LaGrange	Borchert*	<input type="checkbox"/>	<input type="checkbox"/>
District 6 - Town of Poughkeepsie	Flesland*	<input type="checkbox"/>	<input type="checkbox"/>
District 10 - City of Poughkeepsie	Jeter-Jackson*	<input type="checkbox"/>	<input type="checkbox"/>
District 16 - Towns of Fishkill, East Fishkill and City of Beacon	MacAvery*	<input type="checkbox"/>	<input type="checkbox"/>
District 1 - Town of Poughkeepsie	Doxsey	<input type="checkbox"/>	<input type="checkbox"/>
District 5 - Town of Poughkeepsie	Roman	<input type="checkbox"/>	<input type="checkbox"/>
District 7 - Town of Hyde Park	Perkins	<input type="checkbox"/>	<input type="checkbox"/>
District 15 - Towns of Poughkeepsie and Wappinger	Incoronato	<input type="checkbox"/>	<input type="checkbox"/>
District 18 - City of Beacon	Forman (VC)	<input type="checkbox"/>	<input type="checkbox"/>
District 19 - Towns of North East, Stanford, Pine Plains, Millersburg	Sherman	<input type="checkbox"/>	<input type="checkbox"/>
District 22 - Town of Beekmantown	Hutchings (C)	<input type="checkbox"/>	<input type="checkbox"/>

Present: 12 Resolution: Total : 12 0
 Absent: 0 Motion: _____ Yes No
 Vacant: 0 Abstentions: 0

2012125 AUTHORIZING EXECUTION OF CONTINUING GRANT AGREEMENT WITH THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION FOR THE POUGHKEEPSIE/DUTCHESS COUNTY TRANSPORTATION COUNCIL (THE METROPOLITAN PLANNING ORGANIZATION-MPO)

Date: 5/10/12

Roll Call Sheets

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

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

2012125 AUTHORIZING EXECUTION OF CONTINUING GRANT
 AGREEMENT WITH THE NEW YORK STATE DEPARTMENT OF
 TRANSPORTATION FOR THE POUGHKEEPSIE/DUTCHESS
 COUNTY TRANSPORTATION COUNCIL (THE METROPOLITAN
 PLANNING ORGANIZATION-MPO)

Date: 5/14/12

Roll call vote on the foregoing Resolution No. 2012125 resulted as follows:

AYES: 25 Amparo, Bolner, Borchert, Doxsey, Flesland, Forman, Horton, Hutchings, Incoronato, Kelsey, Jeter-Jackson, MacAvery, Miccio, Perkins, Rolison, Roman, Serino, Sherman, Surman, Thomes, Traudt, Tyner, Weiss, White, Wilkinson

NAYS: 0

ABSENT: 0

Resolution adopted.

Public Works and Capital Projects

RESOLUTION NO. 2012126

BOND RESOLUTION DATED MAY 14, 2012.

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$262,600 SERIAL BONDS OF THE COUNTY OF DUTCHESS, NEW YORK, TO PAY A PORTION OF THE COST OF THE RECONSTRUCTION OF BUILDINGS AND FACILITIES IN AND FOR SAID COUNTY.

WHEREAS, the capital project hereinafter described, as proposed, has been determined to be a Type II Action pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act, which regulations state that Type II Actions will not have a significant effect on the environment; and

WHEREAS, it is now desired to authorize the financing of such capital project; NOW, THEREFORE

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

Section 1. The cost of the reconstruction of buildings and facilities in and for the County of Dutchess, New York, including original equipment, machinery, apparatus, appurtenances, site improvements, and incidental improvements and expenses in connection therewith, is hereby authorized at a maximum estimated cost of \$352,600.

Section 2. **SEQR DETERMINATION:** It is hereby determined that the aforesaid class of objects or purposes constitutes a Type II Action under the regulations of the State of New York promulgated pursuant to the State Environmental Quality Review Act each of which, as such, will not have a significant adverse impact upon the environment.

Section 3. It is hereby determined that the maximum estimated cost of the aforesaid specific object or purpose is \$352,600, and that the plan for the financing thereof is as follows:

- (a) by the issuance of the \$262,600 serial bonds hereby authorized to be issued pursuant to the provisions of the Local Finance Law; and
- (b) by the expenditure of \$90,000 monies received or to be received from Federal and State grants-in-aid, which monies are hereby appropriated therefor.

Section 4. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is 25 years, pursuant to subdivision 12(a)(1) of paragraph a of Section 11.00 of the Local Finance Law.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the serial bonds herein authorized, including renewals of such notes, is hereby delegated to the Commissioner of Finance, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Commissioner of Finance, consistent with the provisions of the Local Finance Law.

Section 6. The faith and credit of said County of Dutchess, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property of said County a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 7. Such bonds shall be in fully registered form and shall be signed in the name of the County of Dutchess, New York, by the manual or facsimile signature of the Commissioner of

Finance and a facsimile of its corporate seal shall be imprinted or impressed thereon and may be attested by the manual or facsimile signature of the County Clerk.

Section 8. The powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the Commissioner of Finance, who shall advertise such bonds for sale, conduct the sale, and award the bonds in such manner as she shall deem best for the interests of the County; provided, however, that in the exercise of these delegated powers, she shall comply fully with the provisions of the Local Finance Law and any order or rule of the State Comptroller applicable to the sale of municipal bonds. The receipt of the Commissioner of Finance shall be a full acquittance to the purchaser of such bonds, who shall not be obliged to see to the application of the purchase money.

Section 9. All other matters, except as provided herein relating to such bonds including determining whether to issue such bonds having substantially level or declining annual debt service and all matters related thereto, prescribing whether manual or facsimile signatures shall appear on said bonds, prescribing the method for the recording of ownership of said bonds, appointing the fiscal agent or agents for said bonds, providing for the printing and delivery of said bonds (and if said bonds are to be executed in the name of the County by the facsimile signature of the Commissioner of Finance, providing for the manual countersignature of a fiscal agent or of a designated official of the County), the date, denominations, maturities and interest payment dates, place or places of payment, and also including the consolidation with other issues, shall be determined by the Commissioner of Finance. It is hereby determined that it is to the financial advantage of the County not to impose and collect from registered owners of such serial bonds any charges for mailing, shipping and insuring bonds transferred or exchanged by the fiscal agent, and, accordingly, pursuant to paragraph c of Section 70.00 of the Local Finance Law, no such charges

shall be so collected by the fiscal agent. Such bonds shall contain substantially the recital of validity clause provided for in section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals in addition to those required by section 52.00 of the Local Finance Law, as the Commissioner of Finance shall determine.

Section 10. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150 - 2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 11. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said County is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 12. This resolution, which takes effect immediately, shall be published in summary form in *The Poughkeepsie Journal* and the *Southern Dutchess News*, the official newspapers of said County, together with a notice of the Clerk of the County Legislature in substantially the form provided in Section 81.00 of the Local Finance Law.

* * * * *

CERTIFICATION FORM

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

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

That I have compared the annexed extract of the minutes of the meeting of the County Legislature of said County, including the resolution contained therein, held on May 14, 2012, with the original thereof on file in my office, and that the same is a true and correct transcript therefrom and of the whole of said original so far as the same relates to the subject matters therein referred to.

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

I FURTHER CERTIFY that the foregoing resolution as adopted by said County Legislature was duly approved by the County Executive of said County on May 25, 2012, in accordance with the provisions of Section 3.02 of the Dutchess County Charter.

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

Newspaper and/or other news media

Date given

Southern Dutchess News
Poughkeepsie Journal

May 11, 2012
May 11, 2012

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

Designated Location(s)
of posted notice

Date of Posting

22 Market Street, 6th Floor, County Office Building,
Poughkeepsie, New York

May 11, 2012

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the County Legislature this 15TH day of May, 2012.



Carol Morris

Clerk, County Legislature

APPROVED
M. Molinaro
MARCUS J. MOLINARO
COUNTY EXECUTIVE
Date 5/25/2012

LEGAL NOTICE OF ESTOPPEL

The following entitled bond resolution, a summary of which is published herewith, has been adopted on May 14, 2012, and the validity of the obligations authorized by such resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which the County of Dutchess, New York, is not authorized to expend money, or if the provisions of law which should have been complied with as of the date of publication of this notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of publication of this notice, or such obligations were authorized in violation of the provisions of the Constitution.

A complete copy of the resolution summarized herewith is each available for public inspection during regular business hours at the Office of the Clerk of the Legislature for a period of twenty days from the date of publication of this Notice.

Dated: Poughkeepsie, New York

May 29, 2012.

Clerk, County Legislature

RESOLUTION NO. 2012126

BOND RESOLUTION DATED MAY14, 2012.

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$262,600 SERIAL BONDS OF THE COUNTY OF DUTCHESS, NEW YORK, TO PAY A PORTION OF THE COST OF THE RECONSTRUCTION OF BUILDINGS AND FACILITIES IN AND FOR SAID COUNTY.

Class of objects or purposes:	Reconstruction of buildings and facilities
Period of probable usefulness:	25 years
SEQRA Status:	Type II Action without significant environmental effects
Maximum estimated cost:	\$352,600
Amount of bonds to be issued:	\$262,600 bonds
Other monies:	\$90,000 State/Federal monies

BUILDING RECONSTRUCTION

\$262,600 25 Years at 3.75%

Year	PRIN O/S	PRIN PAYMENT	INTEREST	TOTAL
1	\$262,600	\$10,504	\$9,848	\$20,352
2	252,096	10,504	9,454	19,958
3	241,592	10,504	9,060	19,564
4	231,088	10,504	8,666	19,170
5	220,584	10,504	8,272	18,776
6	210,080	10,504	7,878	18,382
7	199,576	10,504	7,484	17,988
8	189,072	10,504	7,090	17,594
9	178,568	10,504	6,696	17,200
10	168,064	10,504	6,302	16,806
11	157,560	10,504	5,909	16,413
12	147,056	10,504	5,515	16,019
13	136,552	10,504	5,121	15,625
14	126,048	10,504	4,727	15,231
15	115,544	10,504	4,333	14,837
16	105,040	10,504	3,939	14,443
17	94,536	10,504	3,545	14,049
18	84,032	10,504	3,151	13,655
19	73,528	10,504	2,757	13,261
20	63,024	10,504	2,363	12,867
21	52,520	10,504	1,970	12,474
22	42,016	10,504	1,576	12,080
23	31,512	10,504	1,182	11,686
24	21,008	10,504	788	11,292
25	10,504	<u>10,504</u>	<u>394</u>	<u>10,898</u>
TOTAL		<u>\$262,600</u>	<u>\$128,018</u>	<u>\$390,618</u>
AVG. PER YEAR		\$10,504	\$5,121	\$15,625

FISCAL IMPACT STATEMENT

TOTAL PRINCIPAL	\$262,600
ANTICIPATED INTEREST RATE	3.75%
TERM	25 YEARS. TOTAL ANTICIPATED FEES
ANTICIPATED ANNUAL COST (PRIN + INT):	\$2,600
TOTAL PAYBACK (ANNUAL COST x TERMS):	\$15,625
	\$390,618

PAMELA BARRACK

Public Works and Capital Projects Roll Call

<i>District</i>	<i>Name</i>	<i>Yes</i>	<i>No</i>
District 8 - City and Town of Poughkeepsie	Rolison*	✓	
District 3 - Town of LaGrange	Borchert*		
District 6 - Town of Poughkeepsie	Flesland*		
District 10 - City of Poughkeepsie	Jeter-Jackson*		
District 16 - Towns of Fishkill, East Fishkill and City of Beacon	MacAvery*		
District 1 - Town of Poughkeepsie	Doxsey		
District 5 - Town of Poughkeepsie	Roman		
District 7 - Town of Hyde Park	Perkins		
District 15 - Towns of Poughkeepsie and Wappinger	Incoronato		
District 18 - City of Beacon	Forman (VC)		
District 19 - Towns of North East, Stanford, Pine Plains, Mile	Sherman		
District 22 - Town of Beekmantown	Hutchings (C)		

Present: 12
 Absent: 0
 Vacant: 0

Resolution: ✓
 Motion: —

Total : 12 0
 Yes No
 Abstentions: 0

2012126 A RESOLUTION AUTHORIZING THE ISSUANCE OF \$262,600 SERIAL BONDS OF THE COUNTY OF DUTCHESS, NEW YORK, TO PAY A PORTION OF THE COST OF THE RECONSTRUCTION OF BUILDINGS AND FACILITIES IN AND FOR SAID COUNTY

Date: 5/10/12

Roll Call Sheets

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

Present: 25
 Absent: 0
 Vacant: 0

Resolution: ✓
 Motion:

Total : 25 0
 Yes No
 Abstentions: 0

2012126 A RESOLUTION AUTHORIZING THE ISSUANCE OF \$262,600 SERIAL BONDS OF THE COUNTY OF DUTCHESS, NEW YORK, TO PAY A PORTION OF THE COST OF THE RECONSTRUCTION OF BUILDINGS AND FACILITIES IN AND FOR SAID COUNTY

Date: 5/14/12

Roll call vote on the foregoing Resolution No. 2012126 resulted as follows:

AYES: 25 Amparo, Bolner, Borchert, Doxsey, Flesland, Forman, Horton,
Hutchings, Incoronato, Kelsey, Jeter-Jackson, MacAvery,
Miccio, Perkins, Rolison, Roman, Serino, Sherman, Surman,
Thomes, Traudt, Tyner, Weiss, White, Wilkinson

NAYS: 0

ABSENT: 0

Resolution adopted.

RESOLUTION NO. 2012127

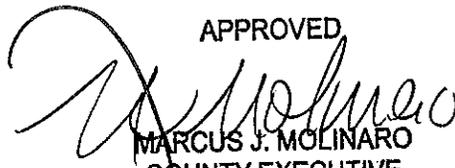
RE: MORTGAGE TAX APPORTIONMENT
PERIOD OCTOBER 1, 2011 THROUGH MARCH 31, 2012

Legislators MICCIO, BORCHERT, FLESLAND, KELSEY, and BOLNER offer the following and move its adoption:

RESOLVED, that the report of the County Clerk and the Commissioner of Finance of mortgage tax receipts and disbursements, for the period October 1, 2011 through March 31, 2012, and the distribution thereof among the several tax districts, be accepted and placed on file, and be it further

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

PB/CW/djw
4/11/12
CA-72-12
Fiscal Impact: NONE

APPROVED

MARCUS J. MOLINARO
COUNTY EXECUTIVE
Date 5/24/12

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 14th day of May 2012, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 14th day of May 2012.


CAROLYN MORRIS, CLERK OF THE LEGISLATURE

MORTGAGE TAX DISTRIBUTION

June 1, 2012

CITIES	AMOUNT
BEACON	\$114,007.75
POUGHKEEPSIE	124,414.95
TOWNS	
AMENIA	\$32,271.15
BEEKMAN	163,452.86
CLINTON	63,621.61
DOVER	46,413.80
EAST FISHKILL	436,389.57
FISHKILL	233,912.39
HYDE PARK	116,129.44
LAGRANGE	192,617.15
MILAN	35,516.11
NORTH EAST	29,871.82
PAWLING	87,838.45
PINE PLAINS	24,439.44
PLEASANT VLY	98,313.11
POUGHKEEPSIE	384,139.79
RED HOOK	68,962.31
RHINEBECK	142,204.09
STANFORD	45,999.07
UNIONVALE	56,107.72
WAPPINGER	213,128.20
WASHINGTON	43,207.70
VILLAGES	
FISHKILL	17,483.84
MILLBROOK	4,563.34
MILLERTON	2,421.19
PAWLING	7,206.95
RED HOOK	6,537.78
RHINEBECK	25,292.78
TIVOLI	4,175.20
WAPPINGER FALLS	18,957.36
TOTAL	<u><u>\$2,839,596.92</u></u>


COMMISSIONER OF FINANCE

Budget, Finance, and Personnel Committee Roll Call

District	Name	Yes	No
District 8 - City and Town of Poughkeepsie	Rolison*	✓	
District 3 - Town of LaGrange	Borchert*		
District 6 - Town of Poughkeepsie	Flesland*		
District 10 - City of Poughkeepsie	Jeter-Jackson*		
District 16 - Towns of Fishkill, East Fishkill and City of Beacon	MacAvery*		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Wilkinson		
District 7 - Town of Hyde Park	Perkins		
District 11 - Towns of Rhinebeck and Clinton	Tyner		
District 17 - Town and Village of Fishkill	Miccio (C)		
District 18 - City of Beacon	Forman(VC)		
District 22 - Town of Beekman	Hutchings		
District 24 - Towns of Dover and Union Vale	Surman		

Present: 12
 Absent: 0
 Vacant: 0

Resolution: ✓
 Motion: —

Total : 12 0
 Yes No
 Abstentions: 0

2012127 MORTGAGE TAX APPORTIONMENT PERIOD OCTOBER 1, 2011 THROUGH MARCH 31, 2012

Date: 5/10/12

Roll Call Sheets

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

Present: 25

Absent: 0

Vacant: 0

Resolution: ✓

Motion: —

Total : 25 0

Yes No

Abstentions: 0

2012127 MORTGAGE TAX APPORTIONMENT PERIOD OCTOBER 1, 2011
THROUGH MARCH 31, 2012

Date: 5/14/12

Roll call vote on the foregoing Resolution No. 2012127 resulted as follows:

AYES: 25 Amparo, Bolner, Borchert, Doxsey, Flesland, Forman, Horton, Hutchings, Incoronato, Kelsey, Jeter-Jackson, MacAvery, Miccio, Perkins, Rolison, Roman, Serino, Sherman, Surman, Thomes, Traudt, Tyner, Weiss, White, Wilkinson

NAYS: 0

ABSENT: 0

Resolution adopted.

RESOLUTION NO. 2012128

BOND RESOLUTION DATED JUNE 11, 2012.

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$493,890 SERIAL BONDS OF THE COUNTY OF DUTCHESS, NEW YORK, TO PAY THE COST OF THE PURCHASE OF EQUIPMENT FOR VARIOUS DEPARTMENTS IN AND FOR SAID COUNTY.

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

Section 1. To pay the cost of the purchase of equipment for various departments, including in each case incidental equipment and expenses in connection therewith, there are hereby authorized to be issued \$493,890 serial bonds of the County of Dutchess, New York pursuant to the provisions of the Local Finance Law, apportioned as follows:

- a) For the purchase of a color print press for the Central Service Department, at a maximum estimated cost of \$262,600, being a specific object or purpose, having a period of probable usefulness of five years, pursuant to subdivision 32 of paragraph a of Section 11.00 of the Local Finance Law, there are hereby authorized to be issued \$262,600 serial bonds of the \$493,890 serial bonds of the County of Dutchess, New York, herein authorized; and
- b) For the purchase of highway equipment, each item of which costs \$30,000 or over, at a maximum estimated cost of \$231,290, being a class of objects or purposes, having a period of probable usefulness of fifteen years, pursuant to subdivision 28 of paragraph a of Section 11.00 of the Local Finance Law, there are hereby authorized to be issued \$231,290 serial bonds of the \$493,890 serial bonds of the County of Dutchess, New York, herein authorized.

Section 2. It is hereby determined that the aggregate maximum estimated cost of the aforesaid objects or purposes described in Section 1 hereof is \$493,890, and that the plan for the financing thereof by the issuance of the \$493,890 serial bonds herein authorized to be issued therefore pursuant to the provisions of the Local Finance Law, apportioned to each such object or purpose in accordance with the maximum estimated cost of each specified in Section 1 hereof.

Section 3. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the serial bonds herein authorized, including renewals of such notes, is hereby delegated to the Commissioner of Finance, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Commissioner of Finance, consistent with the provisions of the Local Finance Law.

Section 4. The faith and credit of said County of Dutchess, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property of said County a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 5. Such bonds shall be in fully registered form and shall be signed in the name of the County of Dutchess, New York, by the manual or facsimile signature of the Commissioner of Finance and a facsimile of its corporate seal shall be imprinted or impressed thereon and may be attested by the manual or facsimile signature of the County Clerk.

Section 6. The powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the Commissioner of Finance, who shall

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

Section 7. All other matters, except as provided herein relating to such bonds including determining whether to issue such bonds having substantially level or declining annual debt service and all matters related thereto, prescribing whether manual or facsimile signatures shall appear on said bonds, prescribing the method for the recording of ownership of said bonds, appointing the fiscal agent or agents for said bonds, providing for the printing and delivery of said bonds (and if said bonds are to be executed in the name of the County by the facsimile signature of the Commissioner of Finance, providing for the manual countersignature of a fiscal agent or of a designated official of the County), the date, denominations, maturities and interest payment dates, place or places of payment, and also including the consolidation with other issues, shall be determined by the Commissioner of Finance. It is hereby determined that it is to the financial advantage of the County not to impose and collect from registered owners of such serial bonds any charges for mailing, shipping and insuring bonds transferred or exchanged by the fiscal agent, and, accordingly, pursuant to paragraph c of Section 70.00 of the Local Finance Law, no such charges shall be so collected by the fiscal agent. Such bonds shall contain substantially the recital of validity clause provided for in section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals in addition to those required by section 52.00 of the Local Finance Law, as the Commissioner of Finance shall determine.

Section 8. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150 - 2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 9. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said County is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 10. This resolution, which takes effect immediately, shall be published in summary form in *The Poughkeepsie Journal* and the *Southern Dutchess News*, the official newspapers of said County, together with a notice of the Clerk of the County Legislature in substantially the form provided in Section 81.00 of the Local Finance Law.

* * * * *

CERTIFICATION FORM

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

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

That I have compared the annexed extract of the minutes of the meeting of the County Legislature of said County, including the resolution contained therein, held on June 11, 2012, with the original thereof on file in my office, and that the same is a true and correct transcript therefrom and of the whole of said original so far as the same relates to the subject matters therein referred to.

I FURTHER CERTIFY that said County Legislature consists of 25 members; that the vote on the foregoing resolution was 22 ayes and 0 noes, with 3 members being absent or abstaining from voting.

I FURTHER CERTIFY that the foregoing resolution as adopted by said County Legislature was duly approved by the County Executive of said County on June 19, 2012, in accordance with the provisions of Section 3.02 of the Dutchess County Charter.

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

Newspaper and/or other news media

Date given

Southern Dutchess News
Poughkeepsie Journal

June 8, 2012
June 8, 2012

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

Designated Location(s)
of posted notice

Date of Posting

22 Market Street, 6th Floor, County Office Building,
Poughkeepsie, New York

June 8, 2012

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the County Legislature this 12th day of June, 2012.

Carol Morris
Clerk, County Legislature



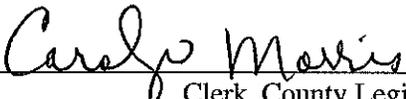
APPROVED
Marcus J. Molinaro
MARCUS J. MOLINARO
COUNTY EXECUTIVE
Date 6/12/2012

LEGAL NOTICE OF ESTOPPEL

The following entitled bond resolution, a summary of which is published herewith, has been adopted on June 11, 2012, and the validity of the obligations authorized by such resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which the County of Dutchess, New York, is not authorized to expend money, or if the provisions of law which should have been complied with as of the date of publication of this notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of publication of this notice, or such obligations were authorized in violation of the provisions of the Constitution.

A complete copy of the resolution summarized herewith is each available for public inspection during regular business hours at the Office of the Clerk of the Legislature for a period of twenty days from the date of publication of this Notice.

Dated: Poughkeepsie, New York,
June 12, 2012.



Clerk, County Legislature

BOND RESOLUTION DATED JUNE 11, 2012.

RESOLUTION NO. 2012128

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$493,890 SERIAL BONDS OF THE COUNTY OF DUTCHESS, NEW YORK, TO PAY THE COST OF THE PURCHASE OF EQUIPMENT FOR VARIOUS DEPARTMENTS IN AND FOR SAID COUNTY.

- | | |
|---------------------------------------|--|
| Objects or purposes: | (a) Purchase of color print press for Central Service Department; specific, 5-year period of probable usefulness |
| | (b) Purchase of highway equipment, each item \$30,000 or more, class, 15-year period of probable usefulness |
| Maximum estimated costs: | (a) \$262,600 and (b) \$231,290 |
| Amount of bonds to be issued:. | An aggregate \$493,890 allocated by maximum estimated cost of each |
| SEQRA status: | Type II Actions |

COUNTY EQUIPMENT

\$493,890 at 2.30%

Year	PRIN O/S	PRIN PAYMENT	INTEREST	TOTAL
1	\$493,890	\$67,939	\$11,340	\$79,280
2	\$425,951	\$67,939	\$10,059	\$77,998
3	\$358,011	\$67,939	\$8,778	\$76,717
4	\$290,072	\$67,939	\$7,497	\$75,436
5	\$222,133	\$67,939	\$6,215	\$74,155
6	\$154,193	\$15,419	\$4,934	\$20,354
7	\$138,774	\$15,419	\$4,441	\$19,860
8	\$123,355	\$15,419	\$3,947	\$19,367
9	\$107,935	\$15,419	\$3,454	\$18,873
10	\$92,516	\$15,419	\$2,961	\$18,380
11	\$77,097	\$15,419	\$2,467	\$17,886
12	\$61,677	\$15,419	\$1,974	\$17,393
13	\$46,258	\$15,419	\$1,480	\$16,900
14	\$30,839	\$15,419	\$987	\$16,406
15	\$15,419	\$15,419	\$493	\$15,913
TOTAL		493,890	71,027	564,917
AVG. PER YEAR		\$32,926	\$4,735	\$37,661

FISCAL IMPACT STATEMENT

TOTAL PRINCIPAL	\$493,890
ANTICIPATED INTEREST RATE	2.30%
TERM 15 YEARS. TOTAL ANTICIPATED FEES:	4,890
ANTICIPATED ANNUAL COST (PRIN + INT):	37,661
TOTAL PAYBACK (ANNUAL COST x TERMS):	564,917

PREPARED BY PAMELA BARRACK

Budget, Finance, and Personnel Committee Roll Call

District	Name	Yes	No
District 8 - City and Town of Poughkeepsie	Rolison*	✓	
District 3 - Town of LaGrange	Borchert*		
District 6 - Town of Poughkeepsie	Fiesland*		
District 10 - City of Poughkeepsie	Jeter-Jackson*		
District 16 - Towns of Fishkill, East Fishkill and City of Beacon	MacAvery*		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Wilkinson		
District 7 - Town of Hyde Park	Perkins		
District 11 - Towns of Rhinebeck and Clinton	Tyner		
District 17 - Town and Village of Fishkill	Miccio (C)		
District 18 - City of Beacon	Forman(VC)		
District 22 - Town of Beekman	Hutchings		
District 24 - Towns of Dover and Union Vale	Surman		

Present: 12
 Absent: 0
 Vacant: 0

Resolution: ✓
 Motion: 1

Total : 12 0
 Yes No
 Abstentions: 0

2012128 A RESOLUTION AUTHORIZING THE ISSUANCE OF \$493,890 SERIAL BONDS OF THE COUNTY OF DUTCHESS, NEW YORK, TO PAY THE COST OF THE PURCHASE OF EQUIPMENT FOR VARIOUS DEPARTMENTS IN AND FOR SAID COUNTY

Date: 6/07/12

Roll Call Sheets

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

Present: 22
 Absent: 3
 Vacant: 0

Resolution: ✓
 Motion:

Total: 22 0
 Yes No
 Abstentions: 0

2012128 A RESOLUTION AUTHORIZING THE ISSUANCE OF \$493,890
 SERIAL BONDS OF THE COUNTY OF DUTCHESS, NEW YORK, TO
 PAY THE COST OF THE PURCHASE OF EQUIPMENT FOR
 VARIOUS DEPARTMENTS IN AND FOR SAID COUNTY

Date: 6/11/12

The foregoing Resolution No. 2012128 was offered for discussion only at the Budget, Finance, and Personnel Committee Meeting held on May 10, 2012, revised by bond counsel, and considered at the June 11, 2012 Regular Board Meeting.

Roll call vote at that time resulted as follows:

AYES: 22 Amparo, Bolner, Borchert, Flesland, Forman, Horton,
 Hutchings, Incoronato, Kelsey, Jeter-Jackson, MacAvery,
 Miccio, Perkins, Rolison, Serino, Sherman, Surman, Thomes,
 Traudt, Tyner, Weiss, Wilkinson

NAYS: 0

ABSENT: 3 Doxsey, Roman, White
Resolution adopted.

RESOLUTION NO. 2012129

RE: AUTHORIZING A GRANT AGREEMENT WITH THE FEDERAL AVIATION ADMINISTRATION FOR TAXIWAY "DELTA" STUB RELOCATION; LIGHT TAXIWAYS "BRAVO, CHARLIE AND DELTA"; "DELTA" RELOCATION AND LIGHTING; AND TAXIWAY "KILO" DESIGN AT THE DUTCHESS COUNTY AIRPORT AND AMENDING THE 2012 ADOPTED COUNTY BUDGET AS IT PERTAINS TO THE DEPARTMENT OF PUBLIC WORKS-AVIATION (EA.0443)

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

WHEREAS, the Department of Public Works, Aviation Division, applied to the Federal Aviation Administration (FAA) for a grant of federal funds for the following projects: taxiway "Delta" stub relocation; light taxiways "Bravo, Charlie and Delta" (construction phase); "Delta" relocation/lighting construction and inspection phase; and new taxiway "Kilo" design phase, and

WHEREAS, this grant is time-sensitive as all grants under this FAA program must be signed and returned to the FAA expeditiously, and

WHEREAS, the FAA will provide 90% of project costs, the State will provide 5% and Dutchess County will provide 5%, and

WHEREAS, it is necessary for this Legislature to authorize the execution of the grant agreement and to amend the 2012 Adopted County Budget to accept funds and provide for their receipt and expenditure, now, therefore, be it

RESOLVED, that this Legislature hereby authorizes the County Executive to accept the grant offers made by the FAA in connection with the Airport Projects and further authorizes and empowers the County Executive to execute said grant agreements and any other agreements related to these projects on behalf of the County of Dutchess when received, and be it further

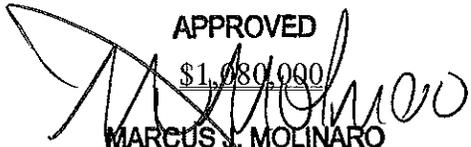
RESOLVED, that the Commissioner of Finance is authorized, empowered and directed to amend the 2012 Adopted County Budget as follows:

APPROPRIATIONS

Increase
EA.0443.5610.3550 2012 FAA Projects

REVENUES

Increase
EA.0443.5610.45890.00 Federal Aid - Airport
EA.0443.5610.35890.00 State Aid - Airport

APPROVED

\$1,080,000
MARCUS J. MOLINARO
COUNTY EXECUTIVE
\$ 972,000
Date 5/24/2012
54,000

EA.0443.5610.50310 Interfund Transfers 54,000
\$1,080,000

APPROPRIATIONS

Increase

A.9950.9801 Contribution to EA Capital \$ 54,000

Decrease

A.1990.4007 Contingency \$ (54,000)

CA-81-12
CAB/ca/C-5194-O
5/3/12 revised 5/7/12
Fiscal Impact: See attached statement

APPROVED



MARCUS J. MOLINARO
COUNTY EXECUTIVE

Date 5/29/2012

STATE OF NEW YORK

ss:

COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 14th day of May 2012, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 14th day of May 2012.



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 \$ 1,080,000

Total Current Year Revenue \$ 1,026,000
and Source

90% Federal, 5% State, 5% County

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

Identify Line Items(s):

A.1990.4007 Contingency

Related Expenses: Amount \$ _____

Nature/Reason:

Anticipated Savings to County: _____

Net County Cost (this year): \$54,000

Over Five Years: _____

Additional Comments/Explanation:

Construction Phase: Realign Taxiway D, Install Lighting on Taxiway B, Stub Taxiways C & D
Design Phase: Partial Parallel Taxiway K

Prepared by: Brenda-Jean Fulling, DPW - Aviation 463-6002

Public Works and Capital Projects Roll Call

District	Name	Yes	No
District 8 - City and Town of Poughkeepsie	Rolison*	✓	
District 3 - Town of LaGrange	Borchert*		
District 6 - Town of Poughkeepsie	Flesland*		
District 10 - City of Poughkeepsie	Jeter-Jackson*		
District 16 - Towns of Fishkill, East Fishkill and City of Beacon	MacAvery*		
District 1 - Town of Poughkeepsie	Doxsey		
District 5 - Town of Poughkeepsie	Roman		
District 7 - Town of Hyde Park	Perkins		
District 15 - Towns of Poughkeepsie and Wappinger	Incoronato		
District 18 - City of Beacon	Forman (VC)		
District 19 - Towns of North East, Stanford, Pine Plains, Mile	Sherman		
District 22 - Town of Beekmantown	Hutchings (C)		

Present: 12 Resolution: ✓ Total: 12 0
 Absent: 0 Motion: — Yes No
 Vacant: 0 Abstentions: 0

2012129 AUTHORIZING A GRANT AGREEMENT WITH THE FEDERAL AVIATION ADMINISTRATION FOR TAXIWAY "DELTA" STUB RELOCATION; LIGHT TAXIWAYS "BRAVO, CHARLIE AND DELTA"; "DELTA" RELOCATION AND LIGHTING; AND TAXIWAY "KILO" DESIGN AT THE DUTCHESS COUNTY AIRPORT AND AMENDING THE 2012 ADOPTED COUNTY BUDGET AS IT PERTAINS TO THE DEPARTMENT OF PUBLIC WORKS-AVIATION (EA.0443)

Date: 5/10/12

Roll Call Sheets

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

Present: 25 **Resolution:** ✓ **Total :** 25 6
Absent: 0 **Motion:** **Yes** **No**
Vacant: 0 **Abstentions:** 0

2012129 AUTHORIZING A GRANT AGREEMENT WITH THE
 FEDERAL AVIATION ADMINISTRATION FOR TAXIWAY
 "DELTA" STUB RELOCATION; LIGHT TAXIWAYS "BRAVO,
 CHARLIE AND DELTA"; "DELTA" RELOCATION AND
 LIGHTING; AND TAXIWAY "KILO" DESIGN AT THE
 DUTCHES COUNTY AIRPORT AND AMENDING THE 2012
 ADOPTED COUNTY BUDGET AS IT PERTAINS TO THE
 DEPARTMENT OF PUBLIC WORKS-AVIATION (EA.0443)

Roll call vote on the foregoing Resolution No. 2012129 resulted as follows:

AYES: 25 Amparo, Bolner, Borchert, Doxsey, Flesland, Forman, Horton,
Hutchings, Incoronato, Kelsey, Jeter-Jackson, MacAvery,
Miccio, Perkins, Rolison, Roman, Serino, Sherman, Surman,
Thomes, Traudt, Tyner, Weiss, White, Wilkinson

NAYS: 0

ABSENT: 0

Resolution adopted.

RESOLUTION NO. 2012130

PROCLAMATION: LYME DISEASE AWARENESS MONTH MAY 2012

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

WHEREAS, May is Lyme Disease Awareness Month and with the high number of reported cases in New York, it is important to inform the residents of Dutchess County on how to protect themselves and their families from contracting this disease; and

WHEREAS, according to the Centers for Disease Control and Prevention, Lyme Disease is the most common rapidly emerging infectious disease not limited to age, ethnicity, or geographical area; and

WHEREAS, the incidence of Lyme Disease is greatest in the northeastern, mid-Atlantic and north central regions of the United States; and

WHEREAS, Lyme Disease was named in 1977 when arthritis was observed in a cluster of children in and around Lyme, Connecticut. The Council of State and Territorial Epidemiologist (CSTE) designated Lyme Disease as a nationally notifiable disease in January, 1991; and

WHEREAS, Lyme Disease is the most common vector-borne disease in the United States. It is caused by the tick-borne spirochete *Borrelia burgdorferi* where the spirochete is transmitted to the human blood stream by the bite of various species of ticks; and

WHEREAS, detection of this is difficult to diagnose because it imitates other conditions and there currently is not a reliable test to determine the infection. Lyme Disease can cause early symptoms such as rash and flu-like symptoms, fever, muscle aches, headaches and fatigue to mention a few. Often the symptoms will disappear only to later reappear in a more serious and difficult to treat disseminated form; and

WHEREAS, your best defense it to wear light colored clothing when outdoors and to check one's self carefully checking for ticks. Proper tick removal is imperative, and if done correctly and promptly, can aid in the prevention of the disease; and

WHEREAS, public awareness of this serious disease is necessary for the prevention and treatment of the disease; now, therefore, be it

RESOLVED, that the Dutchess County Legislature does hereby proclaim May as Lyme Disease Awareness Month in Dutchess County and urges all citizens to take suitable precautions to avoid the risk of contracting Lyme Disease and to be aware of the symptoms so that appropriate treatment can be obtained.

STATE OF NEW YORK

ss:

COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 14th day of May 2012, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 14th day of May 2012.

CAROLYN MORRIS, CLERK OF THE LEGISLATURE

RESOLUTION NO. 2012131

PROCLAMATION: RECOGNIZING MAY AS MENTAL HEALTH MONTH

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

WHEREAS, mental health is essential to everyone's overall health and well-being, and

WHEREAS, one in four adult Americans live with a diagnosable mental health condition, and

WHEREAS, all Americans experience times of difficulty and stress in their lives. Mental health and substance use conditions are common, these conditions are treatable, and

WHEREAS, awareness and prevention is a effective way to reduce the burden of mental health conditions, and

WHEREAS, during the month of May , Mental Health America of Dutchess County wants to raise the awareness about mental health and teach individuals in local communities on how to recognize and help themselves or other individuals who may be suffering from a related mental health condition, and

WHEREAS, there is a strong body of research that supports specific tools that all Americans can use to better handle challenges, and protect their health and well-being, and

WHEREAS, mental health conditions are real and prevalent in our nation, and

WHEREAS, with effective treatment, those individuals can live full and productive lives, and

WHEREAS, each business, school, government agency, healthcare provider, organization and citizen shares the burden of mental health problems and has a responsibility to promote mental wellness and support prevention efforts, now, therefore, be it

RESOLVED, that the Dutchess County Legislature does hereby proclaim May 2012 as Mental Health Month in Dutchess County, New York.

STATE OF NEW YORK

ss:

COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 14th day of May 2012, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 14th day of May 2012.

CAROLYN MORRIS, CLERK OF THE LEGISLATURE

RESOLUTION NO. 2012132

PROCLAMATION: DECLARING MAY 15, 2012, TO BE "MAYDAY FOR MANDATE RELIEF" AND URGING THE MANDATE RELIEF COUNCIL TO TAKE SWIFT ACTION IN SUBMITTING A PACKAGE OF MANDATE RELIEF PROPOSALS TO GOVERNOR CUOMO AND THE STATE LEGISLATURE TO BE VOTED ON THIS SESSION

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

WHEREAS, as part of administering these programs, the State of New York mandates (requires) the delivery of State programs using local resources, causing some counties to dedicate more than 80 percent of their entire budget toward the funding of State mandated programs and fixed costs, and

WHEREAS, the New York State Association of Counties has identified just 9 state mandates that equal 90 percent of all county property taxes levied in 2010 (outside of New York City), consuming \$4 billion of \$4.4 billion in county property taxes levied. These mandates include: Medicaid, TANF/Public Assistance Safety Net, Child Welfare Protective and Preventive Care, Special Education Pre-School, Early Intervention, Probation, Indigent Defense, Youth Detention, and Pensions, and

WHEREAS, these State mandates are the root cause of high county property and sales taxes in New York and have led to a decline in the delivery of important local services, and

WHEREAS, these State imposed mandates continue to contribute to New York's highest in the nation local tax burden for residents and businesses, severely damaging New York's ability to attract, create and maintain good paying jobs, as well as contributing to population losses to other states, and

WHEREAS, when they enacted a property tax cap in 2011, the State also created a Mandate Relief Council to review specific mandates and advance proposals to reduce the statutory and regulatory burden on municipalities, now, therefore, be it

RESOLVED, that Dutchess County hereby declares May 15, 2012, to be "Mayday for Mandate Relief" to raise the public's awareness that the decisions made in Albany have a direct impact on the property tax levy and local community services here in Dutchess County, and, be it further

RESOLVED, that Dutchess County hereby calls on the Mandate Relief Council to take swift action in submitting a package of Mandate Relief proposals to Governor Cuomo and the State Legislature to be voted on by our State Representatives during the 2012 State Legislative Session, and, be it further

RESOLVED, that the New York State Association of Counties shall forward copies of this resolution to Governor Andrew M. Cuomo, members of the New York State Legislature and all those deemed necessary and proper.

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 14th day of May 2012, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 14th day of May 2012.

CAROLYN MORRIS, CLERK OF THE LEGISLATURE

RESOLUTION NO. 2012133

**COMMENDATION: "GET HOOKED ON FISHING"
KEN AND CHERYL ROSE**

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

WHEREAS, over 25 years ago the late Ken Bendix of Hyde Park had an idea that Morgan Lake would be a great place to support trout and if it could, the lake would be one of the limited number of urban trout fisheries across the state, putting it within reach of many city residents, especially children, who might never have an opportunity to fish. Unfortunately, he passed away before he dream could come to fruition, and

WHEREAS, Ken and Cheryl Rose of Poughkeepsie would be standard-bearers for Mr. Bendix's dream and in 1988 held the first "Get Hooked on Fishing" two day event, and

WHEREAS, Ken and Cheryl Rose have coordinated the kids fishing program at Morgan Lake in the City of Poughkeepsie "Get Hooked on Fishing" for 25 years, and

WHEREAS, the Rose's were the primary fundraisers of the event, they would spend weeks, and months of each year collecting funds and fishing equipment from local vendors and individuals, made sure that each child who participated went home with some type of fishing equipment and a hot dog and soda for lunch, and

WHEREAS, the Rose's had developed an army of volunteers who reappeared year after year, including former kids who had "aged out" of the fishing part of the program. These volunteers made it possible for the event to take place year after year; and

WHEREAS, in the twenty-five (25) year run of the fishing derby, the Roses saw more than 20,000 young participants come to the event' now, therefore be it

RESOLVED, that the Dutchess County Legislature recognizes the 25th anniversary of the "Get Hooked of Fishing" event and joins with its many participants and volunteers in thanking Ken and Cheryl Rose for their devotion to the event, and be it further

RESOLVED, that the Dutchess County Legislature, on behalf of all the people of Dutchess County, does hereby commend, congratulate and thank, Ken and Cheryl Rose for their years of service in our community.

STATE OF NEW YORK

ss:

COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 14th day of May 2012, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 14th day of May 2012.

CAROLYN MORRIS, CLERK OF THE LEGISLATURE

RESOLUTION NO. 2012134

Commendation: Larry Hertz

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

Whereas, Larry Hertz retired on April 13, 2012, after writing for the *Poughkeepsie Journal* newspaper since July 13, 1976, and

Whereas, through Larry Hertz's 36 year career with the *Poughkeepsie Journal* newspaper he has written over 1500 columns, and

Whereas, Larry Hertz has been part of many big stories over the years including serial-killer stories, false allegations regarding rape cases, "good news" stories, the Courts, government, and so many more, and

Whereas, over the last 36 years Larry Hertz has connected with the residents of Dutchess County on a very personal level this has been reflected in his long-running social-issues column, where he has profiled many organizations and individuals making a difference in the Dutchess County region, and

Whereas, Larry Hertz was a vital member of the *Poughkeepsie Journal's* reporting family and his professionalism and willingness to share his knowledge, expertise, and dedication with all his loyal readers will be missed, now, therefore be it

Resolved, that the Dutchess County Legislature, on behalf of all the people of Dutchess County, does hereby commend and congratulate Larry Hertz on his retirement and many years of dedicated service to a free press, and, be it further

Resolved, that the Dutchess County Legislature, does hereby extend to Larry Hertz its best wishes in all of his future endeavors.

STATE OF NEW YORK

ss:

COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 14th day of May 2012, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 14th day of May 2012.

CAROLYN MORRIS, CLERK OF THE LEGISLATURE

RESOLUTION NO. 2012135

Commendation: Eagle Scout James Patrick Devens

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

Whereas, James P. Devens is a member of Boy Scout Troop 17 of the Hudson Valley Council, Dutchess District, New York. He obtained the rank of Eagle Scout on March 26, 2012, and will receive that award at a Court of Honor to be held on May 10, 2012, in his honor, and

Whereas, James has been a member of Boy Scout Troop 17 for several years. He has earned all of the necessary merit badges and has held a number of distinguished leadership roles within the Troop, and

Whereas, Eagle Scout Devens has demonstrated a commitment to the highest ideals of Scouting and to his community, and

Whereas, James P. Devens attends Franklin D. Roosevelt High School, where he is currently a Senior. James is a member of the High School Band, Orchestra, Jazz Band, Brass Sextet, Varsity Crew, and Varsity Bowling Team. James is also involved in the National Honor Society, and

Whereas, James' Eagle Service project took place at Peach Hill Park in the Town of Poughkeepsie. James created a "Green Trail" through the woods and also built a roofed "Informational Kiosk" at the entrance to the Park, which is enclosed by plexiglass. In the "Informational Kiosk" is a map locating the trails and identifying the species of trees and plants that the public will encounter while in Peach Hill Park. The Town of Poughkeepsie funded the project and it took approximately 238 man hours to complete the project. He was able to enlist the help of family, friends, and fellow Scouts to complete the project, now, therefore, be it

Resolved, that the Dutchess County Legislature, on behalf of all the people of Dutchess County, does hereby commend and congratulate, Eagle Scout James P. Devens, and, be it further

Resolved, that the Dutchess County Legislature, does hereby extend to Eagle Scout James P. Devens, its best wishes in all of his future endeavors.

STATE OF NEW YORK

ss:

COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 14th day of May 2012, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 14th day of May 2012.

CAROLYN MORRIS, CLERK OF THE LEGISLATURE

RESOLUTION NO. 2012136

Commendation: USS ROOSEVELT (DDG-80)

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

WHEREAS, the USS ROOSEVELT (DDG-80), the 30th ship of the Arleigh Burke Class of destroyers, was launched in 1999 and commissioned on October 14, 2000, the then Secretary of Navy John Dalton named the ship the "Roosevelt" in honor of President Franklin D. Roosevelt and First Lady Eleanor Roosevelt; and

WHEREAS, the Dutchess County Legislature designated this vessel as the official warship of Dutchess County by Resolution No. 20926 and in May 2010, Hyde Park had the pleasure of hosting this ship's Commander Robb Chadwick, who participated in the Town's Memorial Day events, and

WHEREAS, over the years the Hyde Park community, including many individuals and such organizations as American Legion Post 1303, Hyde Park Historical Society, Hyde Park School District, St. James Church, has provided Christmas baskets and other holiday gifts to officers and crew members of the USS ROOSEVELT starting a tradition called Project FALA, and

WHEREAS, a strong and growing relationship has evolved between Hyde Park and officers and crew members of the USS ROOSEVELT, and

WHEREAS, present Commanding Officer R.S. Thompson and several of his crew members will be honored guests at the May 28 Hyde Park Memorial Day parade and related celebratory events, including the "Adopt-A-Sailor" picnic, and

WHEREAS, Dutchess County and the Town of Hyde Park community look forward to future visits from sailors of the USS ROOSEVELT, now therefore be it

RESOLVED, that the Dutchess County Legislature, on behalf of the people of Dutchess County, hereby extends to the USS ROOSEVELT officers and crew, its utmost gratitude and appreciation for the exemplary and ongoing years of military service in defense of the United States of America, and be it further

RESOLVED, that the Dutchess County Legislature does hereby extend to the USS ROOSEVELT officers and crew its best wishes, safety, and success in all their future endeavors.

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 14th day of May 2012, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 14th day of May 2012.

CAROLYN MORRIS, CLERK OF THE LEGISLATURE

Resolution No. 2012137

Condolence: Harry Schroeder

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

Whereas, The Dutchess County Legislature has learned with profound sadness and regret of the recent death of Harry Schroeder on April 24, 2012 at home in Millerton after a brief illness, and

Whereas, Harry Schroeder, was a long time resident of Dutchess County. He was born in Brooklyn, New York on April 22, 1935, to the late Ernst and Marie (Matters) Schroeder, and attended and graduated from Youngsville High School and thereafter, Mr. Schroeder attended and graduated from Ithaca College, Class of 1956 with a B.S. in physiotherapy, and

Whereas, Harry Schroeder married his wife Julie (Bezy) Schroeder on January 7, 1960, in Ossining, New York. They had four children together, Aram, Lisa, Sara and Lara. He also enjoyed time with his five grandchildren, Rachel, Michael, Andrew, Julie and Bobby, and

Whereas, Harry Schroeder served as a pilot in the US Air Force from 1956 to 1963 flying F89's, F86's and F101's. He was honorably discharged from the Air Force with the rank of Captain; and

Whereas, Harry Schroeder and his wife moved to Millerton where he owned and operated Silamar Farm. He chronicled farm life for many years in an award winning column published in the *Millerton News* and *The Lakeville Journal*, and

Whereas, Harry Schroeder had a distinguished record of public service. He served on the Webutuck School District Board of Education for five years, three of those years as President. He also served on the Town of North East Planning Board, where as Chairman he lead the effort to create the first comprehensive land use plan for the town and zoning law that still guides the community today. From 1973 to 1976, he served on the Dutchess County Cooperative Extension Board of Directors and was Chairman. Mr. Schroeder was a key member of the group that evolved into the Dutchess Land Conservancy. He also led the effort to preserve the railroad right-of-way and create the Harlem Valley Rail Trail. For many years, he delivered meals to homebound seniors for the Millerton Nutrition site, and

Whereas, Harry Schroeder was very active in Dutchess County Government as he served from 1980 through 1999 with the Dutchess County Legislature beginning his service in District 28, Towns of North East, Amenia, and Stanford and thereafter District 29, Towns of North East, Milan, and Pine Plains, and then District 29, Towns of North East, Stanford, and Pine Plains and he served on nearly every committee, often in a leadership capacity and as Chairman of the Legislature in 1988 and 1989, now, therefore, be it

Resolved, that the Dutchess County Legislature, on behalf of all the people of Dutchess County, does hereby extend its deep sympathy and sincere condolences to the family and friends of the late Harry Schroeder, and, be it further

Resolved, that the meeting of the Dutchess County Legislature be adjourned in memory of the late Harry Schroeder.

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 14th day of May 2012, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereto set my hand and seal of said Legislature this 14th day of May 2012.

CAROLYN MORRIS, CLERK OF THE LEGISLATURE

Resolution No. 2012138

Condolence: Karen Woods

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

Whereas, The Dutchess County Legislature mourns with profound sadness and regret of the death of Karen on January 9, 2012 in Venice, Florida after a brief illness, and

Whereas, Karen Woods, was a long time resident of Dutchess County residing in Hyde Park, and

Whereas, Karen Woods was the founding director of the Dutchess County Tourism Promotion Agency, leading the agency starting in 1984 when it began its works under the umbrella of the Dutchess County Economic Development Corporation, and served as Executive Director for nearly 22 years until her retirement in 2006, and

Whereas, as a fully accredited Certified Tourism Planner, Karen Woods oversaw the creation and implementation of a number of marketing programs to foster the growth of the tourism industry in Dutchess County, and highlights of Karen Woods' tenure include organizing a Hospitality Center for national and international media and other dignitaries during the Clinton-Yeltsin Summit held in Hyde Park in 1995, and

Whereas, Karen Woods' work was recognized with numerous awards including the "2001 Individual Achievement Award" from the New York State Division of Tourism and the YWCA's 1999 "Salute to Women", and

Whereas, Karen Woods represented Dutchess County on a variety of regional, state and national boards including the Hudson Valley Tourism Inc., the New York State Travel & Vacation Association, the New York State Tourism Promotion Agency Council, the National Heritage Area Scenic By-Ways Committee and National Heritage Area Management Advisory Committee as well as National Council of Destination Organizations and the Travel Industry of America, and

Whereas, in 1994 Governor George Pataki chose Karen Woods to be a delegate to the first White House Conference on Tourism in Washington, D.C., and the work of Karen Woods positioned Dutchess County as the premier tourism destination in the region and she left a legacy of excellence in program development, business success and the quality of tourism staff, now, therefore, be it

Resolved, that the Dutchess County Legislature, on behalf of all the people of Dutchess County, does hereby extend its deep sympathy and sincere condolences to the family and friends of the late Karen Woods, and, be it further

Resolved, that the meeting of the Dutchess County Legislature be adjourned in memory of the late Karen Woods.

STATE OF NEW YORK

ss:

COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 14th day of May 2012, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 14th day of May 2012.

CAROLYN MORRIS, CLERK OF THE LEGISLATURE

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

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

There being no further business, the Chairman adjourned the meeting at 7:40 p.m. in memory of Harry Schroeder and Karen Woods subject to the call of the Chair.