

COUNTY OF CLINTON)

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STATE OF NEW YORK)

March 15, 2012

Stenographer's minutes of the Regular Session of the Clinton County Legislature held Wednesday, March 14, 2012 in the Legislative Chambers, 137 Margaret Street, Plattsburgh, New York.

PRESENT: Jonathan Beach, Area 2
Robert Butler, Area 6
Mark Dame, Area 8
Samuel Dyer, Area 3
John Gallagher, Area 9
Robert Heins, Area 10
Pete Keenan, Area 5
James Langley, Jr., Chairperson, Area 7
Sara Rowden, Area 4

EXCUSED: Harry McManus, Area 1

ALSO PRESENT: Michael E. Zurlo, County Administrator
Rodney Brown, Deputy County Administrator
William Favreau, County Attorney
Jeanene Bell, Senior Stenographer

Chairperson Langley called the meeting to order at 7 p.m.

Following the pledge of allegiance to the flag, County Administrator Michael Zurlo conducted roll call. Legislator McManus had asked to be excused.

Legislator Beach offered a motion to accept the minutes of the February 22, 2012 Regular Session, seconded by Legislator Butler. (Carried 9-0-1).

Chairperson Langley asked if anyone wished to address the Legislature.

There being no one to address the Legislature, Chairperson Langley called for standing committee and liaison reports.

Committee Reports

Buildings and Grounds – Legislator Dyer

Legislator Dyer reported Resolution #197 has been placed on the agenda which approves the 2012 Master Plan Improvement Projects. Mr. Zurlo stated Resolution #197 sets up the accounting structure for the 2012 Master Plan Projects.

County Operations – Legislator Dame

Legislator Dame reported the County Operations Committee met Tuesday, March 6th at 6:15 p.m. He stated Barbara Foster, Director of Information Technology, discussed how the County manages information on its computers, Blackberries, Smart Phones and other personal devices. She will gather information from County Departments with regard to creating policies and report back to the Committee.

Legislator Dame reported Allan Bilow, Director of Weights and Measures, presented his annual report.

Legislator Dame reported the next County Operations Committee meeting is scheduled for Tuesday, April 3rd at 6:15 p.m.

Finance – Legislator Rowden

Legislator Rowden reported the next Finance Committee meeting is scheduled for Wednesday, April 4th at 5:15 p.m.

Health Committee – Legislator Beach

Legislator Beach reported the Health Committee met Monday, March 12th at 6:15 p.m. Sherrie Gillette, Director of Community Services, discussed the Community Services Board meeting and its subcommittees' meetings. She discussed the proposed Methadone Clinic and the Department's Satellite Clinics. There was also discussion regarding the Tobacco Product Use Policy and how the Union is receiving it.

Resolutions #198 through #209 have been placed on the agenda as a result of the Committee's recommendation.

Legislator Beach reported the next Health Committee meeting is scheduled for Monday, April 16th at 6:15 p.m.

Human Services – Legislator Keenan

Legislator Keenan reported the Human Services Committee met Tuesday, March 6th at 5:15 p.m.

Darleen Collins, Principal Account Clerk from the Office for the Aging, discussed Freedom Alert which may replace Lifeline. Resolutions #210 through #215 have been placed on the agenda as a result of the Committee's recommendation.

Steve Bowman, Director of the Veterans' Service Agency, discussed the Monetary Benefits Received by Claimants Report which shows the amount of money clients are receiving for retroactive awards and the type of Federal money being received by Clinton County.

Wendie Bishop, the Nursing Home Administrator, updated the Committee on the Sprinkler Project. Mr. Zurlo stated that since the Human Services Committee meeting on March 6th, a call was placed to the New York State Department of Labor regarding a concern of potential asbestos in the ceiling tile and caulking. Testing was completed and results found there was no hazardous material. The Sprinkler Project continues to move at a good pace.

Legislator Heins reported that he and Legislators Keenan and Dame toured the Nursing Home on Wednesday, March 7th and found it to be an eye-opening experience. He stated after observing the work of the Certified Nurses Aides, the Registered Nurses and other staff, the Government should protect all staff at nursing home facilities. He urged the other Legislators to tour the facility as well.

Legislator Keenan reported the next Human Services Committee meeting is scheduled for Tuesday, April 3rd at 5:15 p.m.

Personnel Committee – Legislator Gallagher

Legislator Gallagher reported the Personnel Committee was polled on Resolutions #223 and #224. Mr. Zurlo stated the resolutions are included on tonight's agenda in accordance with the rules put into place by the Personnel Committee for bi-monthly meetings and the process by which the resolutions would be presented to the Legislature. Mr. Zurlo stated he and Personnel Director Alan Gibson review the resolutions before they are sent to Committee members for a poll.

Legislator Gallagher reported the next Personnel Committee meeting is scheduled for Tuesday, April 17th at 5:15 p.m.

Plattsburgh International Airport – Legislator Heins

Legislator Heins reported the next Plattsburgh International Airport Committee meeting is scheduled for Wednesday, March 28th at 5:15 p.m. He stated a tour of the Plattsburgh International Airport is scheduled for Saturday, March 17th at 9 a.m. Legislators should meet at SheltAir, the Fixed Base Operator. The tour will last until 12 p.m.

Airport Manager Chris Kreig updated the Legislature on Direct Air. He stated Direct Air ceased operations on Tuesday, March 13th and expects to resume service on Tuesday, May 15, 2012. Mr. Kreig and Garry Douglas, CEO of the Plattsburgh-North Country Chamber of Commerce, are actively seeking a replacement service to supplement or replace Direct Air. Mr. Kreig spoke to a representative at Direct Air regarding ticket refunds and was told customers need to contact the Direct Air Reservation Center and their credit card companies. Mr. Kreig stated SheltAir has put additional staff at the ticket counter at Plattsburgh International Airport for the next few days to assist customers with any questions.

Mr. Kreig stated Direct Air serviced flights to Myrtle Beach, South Carolina and Punta Gorda and Lakeland, Florida. From November, 2011 to the present, Direct Air averaged 90 passengers per flight to Lakeland, Florida, 110 passengers per flight to Myrtle Beach, South Carolina and 140 passengers per flight to Punta Gorda, Florida. These numbers have been presented to other airlines that Mr. Kreig and Mr. Douglas have contacted to come to Plattsburgh International Airport. Mr. Kreig stated Spirit Airlines is scheduled to resume its service to Myrtle Beach, South Carolina beginning Thursday, May 17, 2012 on Mondays and Fridays.

Mr. Kreig reported Direct Air purchased fuel from a fuel supplier and transported and stored its fuel at Plattsburgh International Airport. SheltAir would pump the fuel into the aircraft for a transfer fee. On Friday, March 9th, the fuel supplier for Direct Air contacted the stations and requested no more fuel be pumped into Direct Air aircraft. Mr. Kreig stated the ban was lifted shortly after. Flights continued through the weekend at Plattsburgh International Airport. On Monday, March 12th, Mr. Kreig received information that Direct Air had been purchased in September, 2011 by Avondale Aviation.

Legislator Heins commended Mr. Kreig for his involvement in this situation. He hopes the next airline coming to Plattsburgh International Airport will own its own aircraft, and the County can obtain bonding to minimize the risk of this happening again. There will be better criteria when choosing airlines.

Legislator Dame stated the County has to vet the process better. He stated this did not occur over night, and it is incumbent upon the Legislative body and management to be more responsible because taxpayers will have to fund this loss.

Mr. Kreig stated each time an airline ticket is purchased, there is a Passenger Facility Charge (PFC) of \$4.50 in which the Airport retains \$4.39, and the airline keeps 11 cents for administrative costs. Federal Aviation Administration (FAA) regulations state the FAA has to track the dollar amount Direct Air has paid, and it is very clear as to when Direct Air has to make payment. Legislator Dame inquired as to how much confidence there is with Direct Air resuming service on May 15th. Mr. Kreig stated he and Mr. Douglas will continue to seek a replacement.

Public Safety Committee – Legislator Butler

Legislator Butler reported the next Public Safety Committee meeting is scheduled for Monday, April 9th at 6:15 p.m.

Liaison Reports

Chamber of Commerce – Legislator Rowden

Legislator Rowden reported the Strategic Tourism Planning Committee met Friday, March 9th. She stated several members of the Committee are hotel owners and managers who expressed the month of February, 2012 was a very good month for them. The hotel owners and managers felt the work the Visitors' Bureau has done has paid off.

Legislator Rowden reported the third Front Desk Training will be held Wednesday, May 30th for front desk staff at hotels. Training information will include what is available in our community. A tour is scheduled this same date of the Babbie Farm Museum.

Legislator Rowden reported an Arch Grant has been written that would coordinate with the Airport Terminal Expansion Project at Plattsburgh International Airport in displaying artwork at the Terminal Building.

Legislator Rowden reported the City Beach Project proposal is being done as a result of the Destination Plan. She would like this Committee to present this Project to the Legislature at a later date.

Legislator Rowden reported the Visitors' Bureau has attended a number of Trade Shows including the Montreal Bicycle Show. She reported "A Taste of New York" was presented in Albany, New York, and individuals from the agricultural community joined the event. A display at the event highlighted Clinton County, and individuals from the Albany Trade Show were amazed at how nice this area is.

Legislator Rowden reported Saturday, April 21st is the "United Way Day of Caring" which is partnered with the Visitors' Bureau and the Adirondack Coast. Volunteer work is being done to work with tourist facilities to assist with damage from the hurricane, especially Ausable Chasm.

Legislator Rowden reported the snowmobile races were very successful, and the event will return again next year.

Clinton Community College – Legislator Dame

Legislator Dame reported Clinton Community College has gone through a re-accreditation. The College came through with flying colors, meeting 13 of the 14 criteria.

Mr. Zurlo reported part of the State budget includes money associated with Full-Time Equivalents (FTE) which is the amount of money per student community colleges receive. The Governor's proposal has been submitted, and the Senate and Assembly have introduced their budget bills. In both cases, Mr. Zurlo stated the FTEs increased. Mr. Zurlo will be meeting with Clinton Community College President John Jablonski and Vice President of Administration Tom Moffett on Thursday, March 15th.

Board of Health – Legislator Beach

Legislator Beach reported the Board of Health met Monday, February 27th. A presentation on Hepatitis C was conducted to include the risk factors on the community. There was an update on how Home Care is moving forward. Legislator Beach reported a new

Organizational Design including the Community Health Improvement Plan has been compiled by Public Health Director Jerie Reid. This Plan will be presented to the Health Committee next month.

InterCounty – Legislator Dame

Legislator Dame reported the next InterCounty Legislative Committee of the Adirondacks meeting is scheduled for Thursday, March 15th at 10:30 a.m. in Saratoga County at the Saratoga Casino and Raceway.

Lake Champlain/Lake George Regional Planning Board – Legislator Dame

Legislator Dame reported he has received a packet of LC/LG information. The next meeting is scheduled in the Spring.

Soil and Water – Legislator Dyer

Legislator Dyer reported the next Soil and Water Conservation District Board meeting is scheduled for Thursday, March 15th.

Workforce Investment Board – Legislator Gallagher

Legislator Gallagher reported he has placed the Executive Director's Report in Legislators' mailboxes. He no longer is on the Workforce Investment Board but remains on the Youth Committee.

Staff Reports

County Attorney William Favreau requested an Executive Session to discuss two pending litigation matters.

Mr. Zurlo reported he received a Summary of One House Budget Bills. Both Houses agreed with some of the Governor's proposals but rejected others, particularly the Preschool and Early Intervention Programs. Mr. Zurlo will provide Legislators with a copy of this document.

Chairperson Langley reported he was invited to attend the Governor's Mandate Relief Hearing in Lake Placid, New York earlier this month. The purpose of the hearing was to gather input on unfunded State mandates. Chairperson Langley reported to the Mandate Relief Council there are nine State mandates which are actually 114 percent of Clinton County's tax levy. Medicaid consists of 68 percent and retirement consists of 15.9 percent. Mr. Zurlo stated the Governor's budget, with respect to Medicaid, has phased out growth of a \$429,000 increase over a number of years. Clinton County was pushing for a hard cap with an immediate freeze where it would be capped now instead of phased over a period of time.

Chairperson Langley reported, despite media reports, Clinton County has not expended any money to Laurentian Aerospace and continues with marketing efforts.

There being no further business, Chairperson Langley moved onto resolutions. The following resolutions were approved unless otherwise noted.

Resolutions #192 through #230 were approved.

Resolution #231 titled, "Authorizing the County Treasurer to Re-Appropriate 2011 Funds for Various Accounts"

Discussion: Mr. Zurlo stated the County has received several grants that are on a fiscal year that is different than ours. Money needs to be shifted to accommodate our fiscal year in comparison with the grantors' fiscal years. (Carried 9-0-1).

Resolution #232 was approved

Legislator Heins motioned to Waive Rule 13.2, seconded by Legislator Butler. (Carried 9-0-1).

Resolution #233 and #234 were approved.

Resolution #235 titled, "Authorizing Flood Mitigation Program Grant Application"

Discussion: Mr. Zurlo reported this Resolution includes funding for debris removal and elimination of two bridges no longer used in Legislative Area 2. (Carried 9-0-1).

Legislator Gallagher motioned to enter Executive Session at 8:02 p.m., seconded by Legislator Butler. (Carried 9-0-1).

Legislator Gallagher motioned to exit Executive Session at 8:40 p.m., seconded by Legislator Heins. (Carried 9-0-1).

Chairperson Langley asked if there was any further business to come before the Board.

There being no further business, Chairperson Langley entertained a motion from Legislator Gallagher to adjourn Regular Session at 8:41 p.m., seconded by Legislator Heins. Carried (9-0-1).

Respectfully submitted,



Jeanene Bell
Senior Stenographer