

COUNTY OF CLINTON)
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STATE OF NEW YORK)

August 29, 2013

Stenographer's minutes of the Regular Session of the Clinton County Legislature held
Wednesday, August 28, 2013 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
Robert Heins, Area 10
Pete Keenan, Area 5
James Langley, Jr., Area 7, Chairperson
Harry McManus, Area 1
Sara Rowden, Area 4

EXCUSED: John Gallagher, Area 9

ALSO PRESENT: Michael Zurlo, County Administrator
Rodney Brown, Deputy County Administrator
William Favreau, County Attorney
Katherine Brown, Senior Stenographer

Chairperson Langley called the meeting to order at 7:00 p.m.

Following the pledge of allegiance to the flag, County Administrator Michael Zurlo conducted roll call. Legislator Gallagher was excused.

Legislator Butler motioned to accept the minutes of the August 14, 2013 Regular Session, seconded by Legislator Heins. (Carried 9-0-1).

A public hearing was conducted regarding proposed Local Law #2 of 2013 titled, "Clinton County Best Value Contract Law." Legislator Dyer motioned to open the public hearing at 7:02 p.m., seconded by Legislator Beach. Carried (9-0-1). There being no speakers, Legislator Dame motioned to close the public hearing at 7:03 p.m., seconded by Legislator Butler. Carried (9-0-1).

A public hearing was conducted regarding the 2013-2014 Clinton Community College budget. Legislator Beach motioned to open the public hearing at 7:03 p.m., seconded by Legislator Dyer. Carried (9-0-1). There being no speakers, Legislator Heins motioned to close the public hearing at 7:04 p.m., seconded by Legislator Rowden. Carried (9-0-1).

Chairperson Langley asked if anyone wished to address the Legislature.

Chairperson Langley recognized Carla Jordan, Regional Engineering Manager with Casella Waste Systems, Inc. Ms. Jordan introduced the newly-hired Clinton County Landfill Manager, Kevin Shaw. County Administrator Michael Zurlo stated he has met with Mr. Shaw who has a considerable amount of experience in this business. He stated that Mr. Shaw has already met with the Personnel Director. He encouraged Legislators to feel free to schedule a time to meet with Mr. Shaw.

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

Committee Reports

Buildings and Grounds – Legislator Dyer

Legislator Dyer reported Resolution #672 is included on the agenda as a result of a poll of the Buildings and Grounds Committee.

The next meeting is scheduled for Wednesday, September 11th at 5:15 p.m.

County Operations Committee – Legislator Dame

Legislator Dame reported Resolution #651 is included on the agenda as a result of a poll of the County Operations Committee.

The next meeting is scheduled for Tuesday, September 3rd at 6:15 p.m.

Finance Committee – Legislator Rowden

Legislator Rowden reported Resolutions #652 through #654 are included on the agenda as a result of a poll of the Finance Committee.

The next meeting is scheduled for Wednesday, September 4th at 5:15 p.m.

Legislator Rowden announced Swarovski Lighting and the North Country Cultural Center for the Arts has extended an invitation to the Legislature to the official lighting ceremony of the Strand Theatre's "Grand Chandelier" on Friday, September 6th from 5 p.m. to 6:30 p.m.

Health Committee – Legislator Beach

Legislator Beach reported the next meeting of the Health Committee is scheduled for Thursday, September 5th at 5:15 p.m.

Human Services Committee – Legislator Keenan

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

Personnel Committee – Mr. Zurlo

Mr. Zurlo reported a backfill request was received from the Board of Elections for a vacant Election Specialist position. The Personnel Director felt it merited discussion outside of the normal scheduling of Personnel Committee meetings. Statute indicates equal distribution between parties and the upcoming Primary season.

Plattsburgh International Airport Committee – Legislator Heins

Legislator Heins reported the Plattsburgh International Airport Committee met earlier this evening. Resolutions #656 through #659 and Resolutions #674 through #680 are included on the agenda as a result of the Committee's recommendation.

Legislator Heins reported two representatives from Allegiant Air were present for a discussion regarding the Terminal Expansion Project.

Legislator Heins reported Resolution #656 on the agenda will authorize a contract with C & S Engineers, Inc. for preparation of the final Land Release Request Package for the former Clinton County Airport.

Legislator Heins reported that Resolutions #678 and #679 will authorize lease agreements with two car rental companies.

The next meeting is scheduled for Wednesday, September 25th at 5:15 p.m.

Transportation Committee – Legislator McManus

Legislator McManus reported Resolutions #664 through #667 are included on the agenda as a result of a poll of the Transportation Committee.

Legislator McManus reported a visit to the Mill Hill Bridge in Keeseville, New York with the Highway Superintendent Al Rascoe has been scheduled for Friday, August 30th at 9:30 a.m. to discuss the Bridge situation.

Legislator Rowden noted the County Health Department recently submitted an application for Public Health Accreditation. The Clinton County Health Department is the second County in New York State to have submitted this application, and is the 20th Health Department in the Country to do so.

Legislator Rowden indicated many Health Departments going through the accreditation process retain outside assistance; the Clinton County Health Department utilized its own resources.

Liaison Reports

Chamber of Commerce – Legislator Rowden

Legislator Rowden reported a meeting of the Strategic Tourism Planning Committee is scheduled for Friday, September 6th.

Mr. Zurlo reported the Chamber of Commerce will make its 2014 Budget presentation to the Finance Committee on Wednesday, September 4th.

Clinton Community College – Legislator Dame

Legislator Dame reported Resolution #649 on the agenda will adopt the Clinton Community College Budget for the school year 2013-2014.

Community Services – Legislator Rowden

Legislator Rowden reported the next meeting of the Community Services Board is scheduled for Tuesday, September 24th.

Cooperative Extension – Legislator McManus

Legislator McManus reported the Cooperative Extension met last week. The Agricultural Tour is scheduled for Friday, September 20th from 9 a.m. to 2:30 p.m. An invitation was also extended to Senator Betty Little, Assemblywoman Janet Duprey and Congressman William Owens.

Board of Health – Legislator Beach

Legislator Beach reported the Board of Health met Monday, August 26th. A presentation was made by the Early Intervention Program. The Health Department's 2014 Budget was reviewed. The recent boil water issue in the Town of Plattsburgh and outlying areas lasted 28 hours. Legislator Beach complimented the Health Department on handling the situation.

Soil and Water – Legislator Dyer

Legislator Dyer reported the no-till seeder is being well utilized. He stated the new District Engineer is helping out immensely. Over 2,500 acres of fall seeding has been completed. Miner Institute is entering into a five-year program to monitor tiling completed over the past few years. Mr. Zurlo indicated he recently met with Nathaniel Grue, District Technician, who stated usage of the plastic agriculture baler is extremely popular. Mr. Grue also stated the District's hydro seeder is available for use by municipalities, school districts and other public entities.

Legislator Dyer reported that Adirondack Farms located on the Brown Road in Peru, New York is hosting "A Day on the Farm" on Saturday, September 7th. All Legislators are invited to attend.

Staff Reports

County Attorney William Favreau stated he had no report.

Mr. Zurlo reported that he recently reported that the tax base growth factor (a major component of the tax cap calculation) came in below two percent making things more difficult. However, the pension figures were released yesterday, and we will see a savings when the compiled budget numbers are all together.

The following Resolutions were approved unless otherwise noted.

Resolutions #649 through #661 were approved.

Resolution #662 titled, "Amending Resolution #939 dated December 14, 2011 titled, "Authorizing Operation Stonegarden Grant Application and Acceptance – Sheriff's Department"

Legislator Butler motioned to approve the resolution, seconded by Legislator Beach.

Discussion:

Mr. Zurlo stated this Resolution is an extension to a previous Operation Stonegarden Grant which must be extended to remain active. This is Federal money which pays Sheriff's Department Deputies who assist in overtime detail at the Border as requested by the United States Border Patrol. Carried (9-0-1).

Resolutions #663 through #666 were approved.

Resolution #667 titled, "Resolution by the County Board of Legislators, County of Clinton, to Alter and Pave Intersecting Roads – Highway Department"

Legislator McManus motioned to approve the resolution, seconded by Legislator Rowden.

Discussion:

Legislator Dame asked for an explanation for the purpose of this Resolution. Mr. Zurlo replied this Resolution approves necessary altering and paving to Rand Hill Road (County Road) during the State's replacement of the bridge located on Route 22 B in Morrisonville, New York. Carried (9-0-1).

Resolutions #668 through #671 were approved.

Resolution #672 titled, "Awarding Bid for Surrogate Building Exterior Ramp Project – Buildings and Grounds"

Legislator Dyer motioned to approve the resolution, seconded by Legislator Keenan.

Discussion:

Legislator Dyer reported a Buildings and Grounds Committee meeting was held Thursday, August 22nd with Architect John McKenna present. In order to keep the authenticity of the other historic buildings, the cost of the materials, not the labor, results in an increased cost of the Project.

Mr. Zurlo reported this Project was a 2012 Master Plan Project. The estimated low-end cost for this Project was \$40,000 and the high-end cost was \$70,000. The low bid submitted for the Project was \$115,000. Mr. Zurlo stated poor communication between the Architect and the County to change the material to better match the face of the Surrogate Building before the Project went out to bid is the reason

for the need for an additional \$54,000 over the original estimate. Legislator Keenan stated the amount over budget is concerning; however, money was found from other Master Plan Projects. Mr. Zurlo stated that the Master Plan Projects which Legislator Keenan referred to are 2012 Master Plan Projects which came in under estimate. Mr. Zurlo stated the Buildings and Grounds Committee recommends this Project be done.

Chairperson Langley asked if this is the last project to be closed out. Mr. Zurlo replied no, and indicated that when all projects are closed out, there will not be much funds remaining from 2012. Chairperson Langley stated each year \$500,000 is available for Master Plan Projects. Mr. Zurlo noted that last year, the Buildings and Grounds Committee discussed borrowing less money. Legislator Rowden indicated this is actually a much more proactive approach for maintenance. Mr. Zurlo stated we try to do as many projects as possible with the \$500,000 based on engineer estimates. Legislator Dame asked if the money is budgeted or borrowed. Mr. Zurlo replied \$500,000 is borrowed annually for Master Plan Projects through a five-year, low-interest, Bond Anticipation Note. He further stated the County's Architect and the Superintendent of Buildings and Grounds submit a list of Master Plan Projects to the Buildings and Grounds Committee for approval/disapproval and are based on the Engineer's estimate not to exceed \$500,000. In past years, projects were completed with funding left over.

Legislator Beach asked if the change in the type of material used for this Project would cause a shortage in funding for this Project and be an additional cost for the County to incur. Mr. Zurlo replied there are excess funds available from other 2012 Master Plan Projects to cover this. Legislator Beach asked if something happens between now and January 1, 2014 and an issue has to be acted upon, where would the funding come from. Mr. Zurlo replied there are monies remaining in other Master Plans, but approval of this resolution does reduce the amount of money available for unanticipated future projects.

Mr. Brown noted the Surrogate Building and the adjacent buildings are included in the Historic Registry and must be aesthetically maintained as such.

Chairperson Langley entertained a motion from Legislator Heins to Waive Rule 13.2, seconded by Legislator Beach. Carried (9-0-1).

Resolution #673 titled, "Approving Backfill of a Permanent, Part-time Election Specialist (PCN 2158) – Board of Elections"

Chairperson Langley motioned to approve the resolution, seconded by Legislator Heins. Carried (8-0-1-1). Legislator Dame abstained.

Resolutions #674 through #678 were approved.

Resolution #679 titled, "Authorizing Lease Agreement with Prevost Car (US), Inc. DBA Nova Bus – Plattsburgh International Airport"

Legislator Heins motioned to approve the resolution, seconded by Legislator Dyer.

Discussion:

Rodney Brown, Deputy County Administrator, reported Nova Bus contacted him indicating they had a large number of buses being manufactured which were not ready for delivery and they were in need of a place to store the buses. Mr. Brown stated Nova Bus will provide around-the-clock security at the former Clinton County Airport to monitor the temporary storage of the buses. Carried (9-0-1).

Resolution #680 was approved.

Chairperson Langley entertained a motion from Mr. Zurlo to enter into Executive Session at 7:48 p.m. for the purpose of discussing a matter of current litigation, seconded by Legislator Dyer. Carried (9-0-1).

Chairperson Langley entertained a motion from Legislator Heins to exit Executive Session and return to Regular Session at 7:53 p.m., seconded by Legislator Dyer. Carried (9-0-1).

There being no further business, Chairperson Langley entertained a motion from Legislator Dyer to adjourn Regular Session at 8:04 p.m., seconded by Legislator Heins. Carried (9-0-1).

Respectfully submitted,

A handwritten signature in cursive script that reads "Katherine A. Brown".

Katherine A. Brown
Senior Stenographer