

COUNTY OF CLINTON)

:SS

STATE OF NEW YORK)

August 9, 2012

Stenographer's minutes of the Regular Session of the Clinton County Legislature held Wednesday, August 8, 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  
Harry McManus, Area 1  
Sara Rowden, Area 4

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 7:03 p.m.

Following the pledge of allegiance to the flag, County Administrator Michael Zurlo conducted roll call. All Legislators were present.

Legislator Butler offered a motion to accept the minutes of the July 25, 2012 Regular Session, seconded by Legislator Heins. (Carried 10-0-0).

Legislator Heins motioned to open the public hearing at 7:04 p.m. regarding a local law titled, "Adopting Local Law #2 of 2012 titled, "Amending Local Law #2 of the Year 2011 titled, "Amending Local Law #2 of the Year 2008 titled, "Clinton County Room Occupancy Tax Law." The motion was seconded by Legislator Butler. Mr. Zurlo read the Notice of Public Hearing. There was no one present to address the board regarding the local law. Legislator Gallagher motioned to close the public hearing at 7:05 p.m., seconded by Legislator Dyer. (Carried 10-0-0).

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**

#### **Children and Family Services – Legislator Heins**

Legislator Heins reported the Children and Family Services Committee met Monday, August 6<sup>th</sup>. He stated he is very impressed with Social Services' Commissioner Jay LePage's knowledge of the Medicaid system, not only in Clinton County, but throughout New York State. Legislator Heins reported one out of four individuals in Clinton County is receiving Medicaid. Mr. Zurlo reported that Clinton County's tax levy for Medicaid is \$25 million, with the County paying \$17 million.

Legislator Gallagher reported one out of three individuals throughout New York State receive Medicaid. He stated Clinton County is in good shape considering the poverty level.

Legislator Heins reported the Department of Social Services has received over 6,000 Home Energy Assistance Program (HEAP) applications.

Resolutions #586 through #588 have been placed on the agenda as a result of the Committee's recommendation

The next Children and Family Services Committee meeting is scheduled for Monday, September 11<sup>th</sup> at 5:15 p.m.

#### **County Operations – Legislator Dame**

Legislator Dame reported the County Operations Committee met Tuesday, August 7<sup>th</sup>. Resolutions #589 through #593 have been placed on the agenda as a result of the Committee's recommendation.

The next County Operations Committee meeting is scheduled for Tuesday, September 4<sup>th</sup> at 6:15 p.m.

## **Finance – Legislator Rowden**

Legislator Rowden reported the Finance Committee met earlier this evening. Clinton Community College presented its 2012-2013 proposed budget. The public hearing for the budget is scheduled for Wednesday, August 22<sup>nd</sup> at 7 p.m. Resolutions #594 through #598 have been placed on the agenda as a result of the Committee's recommendation.

Legislator Rowden reported the next Finance Committee meeting is scheduled for Tuesday, September 12<sup>th</sup> at 5 p.m.

## **Health Committee – Legislator Beach**

Legislator Beach reported the Health Committee met Thursday, August 2<sup>nd</sup>. Sherrie Gillette, the Director of Community Services, discussed the progress of the satellite clinics. She reviewed minutes from the June 27<sup>th</sup> Community Service Board meeting. She reviewed the Activity Report for June, the Director's Report for June and July and the August 2<sup>nd</sup> Clinton County Mental Health and Addiction Services Report. A copy of the New York State Conference of Local Mental Hygiene Directors' publication was provided to the Committee. Ms. Gillette continues to search for a Psychiatrist to replace the current retiring Psychiatrist. This position will become vacant effective January 1, 2013. Resolution #606 has been placed on the agenda as a result of the Committee's recommendation.

Legislator Beach reported Jerie Reid, Director of Public Health, provided the Committee with copies of quarterly grant reports, the Health Department Report for the Board of Health meeting of July 16<sup>th</sup>, as well as the Director's Report for June. Copies of the Health Department's Agency Newsletter and Quality Corner Newsletter were also provided to the Committee. Resolutions #599 through #605 have been placed on the agenda as a result of the Committee's recommendation.

The next Health Committee meeting is scheduled for Thursday, September 6<sup>th</sup> at 5:15 p.m.

## **Human Services – Legislator Keenan**

Legislator Keenan reported the Human Services Committee met Tuesday, August 7<sup>th</sup>. Steve Bowman, the Director of the Veterans' Service Agency, reviewed the August 7<sup>th</sup> Director's Report. Monthly statistics for May through July were provided to the Committee. Mr. Bowman reported Clinton County is recognized in New York State for the leading County for claims. There are approximately 38 individuals per day who request assistance from the Veterans' Service Agency. A Military Appreciation Day is scheduled at the Crete Civic Center on Saturday, September 8<sup>th</sup> in conjunction with the Battle of Plattsburgh.

Legislator Keenan reported the Personnel Committee, at its meeting of August 6<sup>th</sup>, approved the reappointment of Mr. Bowman as Director of the Veterans' Service Agency, effective January 1, 2013 through December 31, 2015. Resolution #630 on the agenda will authorize Mr. Bowman's reappointment.

Legislator Keenan reported Crystal Carter, the Director of the Office for the Aging, discussed proposals received for the Personal Emergency Response Systems Service for 2013-2014. She discussed the Restaurant Dining Program, as well as changes to the Housing Resource Packaging Program.

Legislator Keenan reported Resolution #607 on the agenda would authorize a contract with Behavioral Health Services North, Inc. for the Caregiver Resource Center. The Committee requested Ms. Carter speak with officials at Behavioral Health Services North, Inc. before a resolution is approved. Therefore, Resolution #607 will be withdrawn from tonight's agenda.

The next Human Services Committee meeting is scheduled for Tuesday, September 4<sup>th</sup> at 5:15 p.m.

#### **Personnel Committee – Legislator Gallagher**

Legislator Gallagher reported the Personnel Committee met Monday, August 6<sup>th</sup>. Resolutions #608 through #631 have been placed on the agenda as a result of the Committee's recommendation. Department Heads were present to discuss their backfill requests. Mr. Zurlo reported there were a number of items on the August 6<sup>th</sup> Personnel Committee agenda due to the Committee meeting bi-monthly. The vast majority of the requests resulted in a savings to the County. Legislator Rowden reported there are staff changes due to retirements; however, the needed services continue to be provided.

The next Personnel Committee meeting is scheduled for Monday, October 1<sup>st</sup> at 5:15 p.m.

#### **Plattsburgh International Airport – Legislator Heins**

Legislator Heins reported Resolutions #641 and #642 have been placed on the agenda as a result of the Committee's recommendation.

The next Plattsburgh International Airport Committee meeting is scheduled for Wednesday, August 22<sup>nd</sup> at 5:15 p.m.

#### **Public Safety – Legislator Butler**

Legislator Butler reported there has been some resistance by Franklin and Essex Counties in participating with the transfer of the Bookmobile as a Mobile Command Center. He asked that both Counties give Clinton County an answer as to whether or not they wish to participate. Legislator Butler spoke with Paul Maroun from Franklin County and Randy Douglas from Essex County asking their assistance in expediting this process.

Chairperson Langley stated the Clinton County Legislature made a decision when transferring the Bookmobile that Franklin and Essex Counties would be involved, and one County would be housing the Bookmobile. Mr. Zurlo stated Resolution #505 dated June 27, 2012 titled, "Accepting Bookmobile from the Clinton-Essex-Franklin Library System for Tri-County Mobile Command Center," was approved based on the application of these two counties.

The next Public Safety Committee meeting is scheduled for Monday, August 13<sup>th</sup> at 5:15 p.m.

## **Liaison Reports**

### **Chamber of Commerce – Legislator Rowden**

Legislator Rowden reported the Strategic Planning Tourism Commission met Friday, August 1<sup>st</sup>. The Marketing Plan for 2013 was reviewed and will be presented next month. Legislator Rowden reported tourism has been very good, and Occupancy Tax is ahead of last year. Resolution #584 has been placed on the agenda for Local Law #2 of 2012 to amend the Clinton County Room Occupancy Tax Law.

Legislator Rowden reported the Plattsburgh-North Country Chamber of Commerce sponsors Business After Hours which is scheduled every third Thursday of each month from 5 p.m. through 7 p.m. On Thursday, August 9<sup>th</sup>, Business After Hours will be held at the Science and Technical Building at Clinton Community College. She encouraged Legislators to attend.

### **Clinton Community College – Legislator Dame**

Legislator Dame reported Clinton Community College presented its 2012-2013 proposed budget at the Finance Committee meeting earlier this evening. Clinton Community College President John Jablonski, Mr. Zurlo and Legislator Dame met on Monday, August 6<sup>th</sup> to discuss the proposed budget request. The public hearing for the budget is scheduled for Wednesday, August 22<sup>nd</sup> at 7 p.m.

### **InterCounty – Legislator Dame**

Legislator Dame reported the next meeting of the InterCounty Legislative Committee of the Adirondacks is scheduled to be held at the New York State Association of Counties (NYSAC) September Conference.

### **Soil and Water – Legislator Dyer**

Legislator Dyer reported Soil and Water Conservation is scheduled to meet Thursday, August 16<sup>th</sup>.

### **Grievance – Legislator Gallagher**

Legislator Gallagher reported the Grievance Committee met, and the decision has been communicated to the parties involved.

## **Staff Reports**

County Attorney William Favreau requested an Executive Session to discuss the sale or lease of real property and pending litigation.

Mr. Zurlo reported a student intern, Brian Murray, was present at the meeting. Mr. Murray is a student from Seton Catholic School and is interested in politics and is considering Political Science as a major. He has shadowed Mr. Zurlo and has visited different County departments.

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

Resolution #584 titled, "Adopting Local Law #2 of 2012 titled, "Amending Local Law #2 of the Year 2011 titled, "Amending Local Law #2 of the Year 2008 titled, "Clinton County Room Occupancy Tax Law"

Discussion: Mr. Zurlo reported the bed tax money, after the \$440,000 has been exceeded, and the created reserve over \$15,000 which the Clinton County Legislature has control, is replenished, the remaining money goes to the Strategic Planning Tourism Commission. (Carried 10-0-0).

Resolutions #585 through #597 were approved.

Resolution #598 titled, "Accepting Bids Received at Public Auction and Authorizing the Issuance of Deeds"

Discussion: Legislator Dame requested a Roll Call vote be taken. (Carried 9-1-0) (Legislator Dame voted no.)

Resolutions #599 through #603 were approved.

Resolution #604 titled, "Authorizing Women, Infants and Children (WIC) Program Grant Application and Acceptance"

Discussion: Mr. Zurlo reported the Grant revenue is less than the previous year's award. The Cost of Living Adjustment (COLA) is not yet known. There will not be a decrease in funding. (Carried 10-0-0).

Resolutions #605 and #606 were approved.

Resolution #607 titled, "Authorizing Contract with Behavioral Health Services North, Inc."

Discussion: This resolution was withdrawn.

Resolutions #608 and #609 were approved.

Resolution #610 titled, "Approving Replacement of a Permanent, Full-Time Junior Audit Clerk with Two (2) Part-Time Junior Audit Clerk Positions with Backfill"

Discussion: Mr. Zurlo reported a permanent, full-time Junior Audit Clerk in the Legislative Office submitted a letter of resignation. It was thought that the full-time position could be replaced with two, part time Junior Audit Clerk positions which would allow the Junior Audit Clerk to remain on staff part time and allow a second part-time position. This will increase the amount of scheduling flexibility and will result in a savings of \$8,000.

Resolutions #611 through #640 were approved.

Legislator Heins motioned to Waive Rule 13.2, seconded by Legislator Beach. (Carried 10-0-0).

Resolution #641 titled, "Authorizing the Purchasing Agent to Solicit Bids for Nose Dock #6 Rehabilitation Project"

Discussion: Mr. Zurlo reported there is a potential for additional Military Airport Program (MAP) Funding. A prospective project for the possible additional grant funding is rehabilitation of Nose Dock #6. There is no risk to approving this resolution, and C & S Engineers, Inc. will only be paid for any work completed if the MAP funding is received. Airport Manager Chris Kreig reported this would be the fourth Nose Dock that will have been completed.

Legislator Heins reported this Project needs to be completed quickly. In the past, this has helped get grant money that other facilities were not able to get done because bids were not submitted in a timely basis. He congratulated C & S Engineers, Inc., the Airport Manager and the County Administrator for expediting the process. Mr. Zurlo stated the Plattsburgh International Airport Committee and the Clinton County Legislature has demonstrated the flexibility to be prepared to accept this money.

Resolution #642 titled, "Authorizing Contract with McFarland-Johnson, Inc. for Architectural and Engineering Design Service for the Passenger Terminal Building Expansion Project"

Discussion: Mr. Zurlo reported Clinton County will not know the amount of money it will receive for the design of this Project unless this resolution is approved. Mr. Zurlo stated that regardless of the results of any potential reward from the Federal Aviation Administration (FAA), the design of this Project will not affect the tax levy. It will be paid from entitlement money, and the remainder will be paid from the Passenger Facility Charge (PFC). The more entitlement money Clinton County receives, the less PFC money will be applied towards the design that will be applied towards the debt service of this Project. Mr. Zurlo stated he has been working with McFarland-Johnson, Inc, the Airport Manager and the Treasurer's Office and has come up with several models to facilitate this Project. If this cannot be done, Mr. Zurlo stated the Project will be tailored so that available revenues are sufficient to pay for the debt service incurred. (Carried 10-0-0).

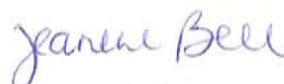
Legislator Gallagher motioned to enter Executive Session at 7:48 p.m., seconded by Legislator Dyer. (Carried 10-0-0).

Legislator Gallagher motioned to exit Executive Session at 8:20 p.m., seconded by Legislator Dyer. (Carried 10-0-0).

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 8:20 p.m., seconded by Legislator Heins. Carried (10-0-0).

Respectfully submitted,



Jeanene Bell  
Senior Stenographer