

COUNTY OF CLINTON)

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STATE OF NEW YORK)

December 15, 2014

Stenographer's minutes of the Regular Session of the Clinton County Legislature held on Wednesday, December 10, 2014 in the Legislative Chambers, 137 Margaret Street, Plattsburgh, New York.

PRESENT: Jonathan Beach, Area 2
Mark Dame, Area 8
Samuel Dyer, Chairperson, Area 3
John Gallagher, Area 9
Robert Hall, Area 10
Pete Keenan, Area 5
James Langley, Jr., Area 7
Colin Read, Area 4
Patty Waldron, Area 6

EXCUSED: Harry McManus, Area 1

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

Chairperson Dyer 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. Legislator McManus asked to be excused.

Legislator Hall motioned to accept the minutes of the November 25th Regular Session, seconded by Legislator Keenan. (Carried 9-0-1).

Chairperson Dyer stated tonight there is a public hearing regarding Local Law #2 of 2014 titled, "A Right to Farm Law of Clinton County." He asked Mr. Zurlo to read the Notice of Public Hearing.

Legislator Gallagher motioned to open the public hearing at 7:04 p.m., seconded by Legislator Keenan. (Carried 9-0-1). There being no one who wished to address the Legislature, Legislator Gallagher motioned to close the public hearing at 7:05 p.m., seconded by Legislator Waldron. (Carried 9-0-1).

Chairperson Dyer asked if anyone wished to address the Legislature.

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

Committee Reports

Buildings and Grounds Committee – Legislator Read

Legislator Read reported the Buildings and Grounds Committee met earlier today. The 1st Floor Human Services Project will go out to bid and be published in the Press Republican from Thursday, December 11th through Saturday, December 13th. Resolutions #923 and #924 have been placed on the agenda upon the recommendation of the Committee.

Children and Family Services Committee – Legislator Waldron

Legislator Waldron reported the Children and Family Services Committee meeting scheduled for Thursday, December 4th was cancelled. Resolution #885 was polled and placed on the agenda upon the recommendation of the Committee.

County Operations Committee – Legislator Read

Legislator Read reported the County Operations Committee met earlier today. Barbara Foster, the Director of Information Technology, updated the Committee on Information Technology's Five-Year Plan. Legislator Read stated the Department does a very good job at soliciting grants.

Finance Committee – Legislator Dame

Legislator Dame reported a public hearing on the tentative 2015 County budget was held December 3rd. Resolution #882 on the agenda will authorize the adoption of the 2015 County budget.

Health Committee – Legislator Beach

Legislator Beach reported the Health Committee meeting scheduled for Thursday, December 4th was cancelled. Resolutions #886 and #887 have been polled and placed on the agenda upon the recommendation of the Committee.

Human Services Committee – Legislator Keenan

Legislator Keenan reported the Human Services Committee meeting scheduled for Wednesday, December 3rd was cancelled. Resolutions #888 and #889 have been polled and placed on the agenda upon the recommendation of the Committee.

Personnel Committee – Legislator Gallagher

Legislator Gallagher reported the Personnel Committee met Wednesday, December 3rd. Resolutions #890 through #900 have been placed on the agenda upon the recommendation of the Committee. There was discussion on the Clinton County Discrimination Policy and the Memorandum of Understanding regarding the current work schedule for the Emergency Communications Dispatchers.

Plattsburgh International Airport Committee – Legislator Langley

Legislator Langley reported the next meeting is scheduled for Tuesday, December 23rd at 5:15 p.m.

Public Safety Committee – Legislator Hall

Legislator Hall reported the Public Safety Committee meeting scheduled for Monday, December 8th was cancelled. Resolutions #902 through #905 were polled and are included on the agenda.

Liaison Reports

Chamber of Commerce – Legislator Read

Legislator Read reported the Strategic Tourism Planning Committee meeting scheduled for Friday, December 12th has been cancelled. Mr. Zurlo reported Resolution #921 has been placed on the agenda which will authorize new appointments to the Strategic Tourism Planning Committee.

Clinton Community College – Legislator Dame

Legislator Gallagher reported Clinton Community College Board of Trustees Subcommittee is prepared to make recommendations to fill the vacancies on the Board of Trustees.

Grievance Committee – Legislator Gallagher

Legislator Gallagher reported the Grievance Committee is scheduled to meet Wednesday, December 17th at 10 a.m.

Soil and Water – Legislators Dyer and Read

Chairperson Dyer reported Soil and Water is scheduled to meet Thursday, December 18th. Interviews are taking place for a Manager and a Technician position.

Staff Reports

County Attorney James Coffey requested an Executive Session to discuss a matter of litigation regarding 11-87 and George Moore, Paul Rissetto and Susan Castine.

Chairperson Dyer thanked Legislator Read and Deputy County Administrator Rodney Brown for researching and bringing forth Local Law #2 of 2014 which has been placed on the agenda.

Chairperson Dyer reported he has one more Regular Session to attend as Chairperson of the Clinton County Legislature. He thanked Legislator Langley for his assistance when questions needed to be answered, and he stated Legislator Langley is a professional. Chairperson Dyer stated he is willing to continue to serve as Chairperson of the Legislature if the Legislature feels he is capable of doing the job.

There being no further business, Chairperson Dyer moved on to resolutions. The following resolutions were approved unless otherwise noted.

Resolution #882 titled, "Adopting 2015 Clinton County Budget" was moved by Legislator Hall, seconded by Legislator Keenan.

Discussion: Legislator Beach reported his constituents are not pleased with the Legislators receiving a raise in 2015. He feels it is his duty to represent his Legislative area, therefore, he must vote against the budget. He stressed his admiration towards Mr. Zurlo and his staff for doing a phenomenal job with the 2015 County budget.

Mr. Zurlo suggested a motion to amend be made in lieu of voting against the budget. Legislator Beach motioned to amend the 2015 County budget to remove the Legislative salary increase, seconded by Legislator Dame.

Legislator Read reported a determination needs to be made as to what the job is typically compensated for and how that compensation is adjusted over time and in a fair manner.

Legislator Gallagher stated the money would be an honorarium for the work done by Legislators. He doesn't feel Clinton County is compensated as other counties. He further stated this issue should be handled yearly during the budget process.

Legislator Dame stated \$15,000 is a justifiable salary for the position that an individual chooses to run for and given the number of hours of work involved. Legislators receive benefits from the New York State Retirement System and receive mileage reimbursement to and from meetings. He feels the Legislature is definitely well compensated. Legislator Dame asked if giving a 17 percent raise is a logical thing to do when a Legislator has been on the job for 11 months or when a Legislator has been on the job for two years and 11 months. He asked those Legislators who are self-employed and have employees if they have ever given their employees a 17 percent raise after working for two years and eleven months or just ten months. He feels it is unreasonable and unfair. He stated Legislators ran knowing what the salary was. He feels it is a matter of principle. He stated he is going to vote yes on the budget because he feels it is a very good budget.

Legislator Waldron stated she voted yes for the raise for the senior members of the Board.

Legislator Gallagher reported he would vote against the salary increase if the \$25,000 would go towards the Clinton County Historical Society.

A roll call vote was taken on the amendment. (Failed 2-7-1). Legislators Beach and Dame voted yes to amend the 2015 County budget. The motion to amend the 2015 County budget failed.

Legislator Gallagher reported the 2015 County budget is a great budget, and County staff and the Legislature have a lot to be proud of.

Legislator Dame stated there are a few items in the 2015 budget that he does not agree with. He reported the County has been fortunate this year with revenues, and expenses are within a reasonable degree of increase. The County Administrator, department heads and those who run the day-to-day operations have done a fantastic job. He reported the budget is a document that is workable throughout the year.

Mr. Zurlo reported prudent decisions have been made in past years to allow the 2015 budget to be where it is. It allows reserves and fund balances to be where they are, and reduces expenditures in certain areas that do not increase over time. He thanked department heads and the Civil Service Employees' Association in which he has a good working relationship.

Chairperson Dyer thanked Mr. Zurlo, Mr. Brown and their staff for doing such a good job on the 2015 budget. He reported department heads have done a good job in years' past.

Resolution #882 passed and was carried with a vote of 9-0-1.

Resolutions #883 through #889 were approved.

Resolution #890 titled, "Approving Replacement of Five Temporary, On-Call Registered Professional Nurse (PCNs 3749, 3971, 3781, 3972, 4047) Positions to Permanent, Part-Time Registered Professional Nurse Positions – Sheriff's Department"

Discussion: Legislator Gallagher reported this resolution resolves some difficulties that occur when temporary positions remain for too long. Mr. Zurlo stated the Personnel Director determined positions remain temporary for too long was not in concert with Civil Service Law. He stated it is not expected this decision will increase the amount of money associated with these positions. (Carried 9-0-1).

Resolutions #891 through #908 were approved.

Resolution #909 titled, "Authorizing the Purchasing Agent to Solicit a Request for Proposals (RFPs) for the Management of Clinton County Public Transit (CCPT) – Clinton County Public Transit (CCPT)"

Discussion: Mr. Brown reported a Request for Proposals (RFPs) is done every five years at a minimum. There have been difficulties that have been well documented. Over the last three weeks, First Transit has been more attentive to resolving the issues, most of which are attracting drivers. (Carried 9-0-1).

Resolution #910 titled, "Authorizing Contracts with First Transit – Clinton County Public Transit (CCPT)"

Discussion: Legislator Dame asked if the County is contracting with First Transit. Mr. Brown replied yes, through June 30, 2015. The current contract expires December 31, 2014. This resolution extends the contract through June 30, 2015. The RFPs will begin July 1, 2015. (Carried 9-0-1).

Resolutions #911 through #923 were approved.

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

Resolution #924 titled, "Authorizing Contract with JEDA Environmental Services, Inc. – Buildings and Grounds"

Discussion: Legislator Gallagher asked if it is certain the dollar amount will not be exceeded. Mr. Zurlo reported the Superintendent of Buildings and Grounds solicited quotes. One quote was high and two were within the range. (Carried 9-0-1).

Resolution #925 titled, "Approving the Consolidation and Combination of the Village of Keeseville and Town of AuSable Registration Districts – Legislature"

Discussion: Mr. Zurlo reported Section 4120.2(a) of the Public Health Law requires the Clinton County Legislature to concur with the consolidation of the Vital Statistic Registration Districts. The Village of Keeseville is dissolving and no longer has a need for a Vital Records District. The Town of AuSable approves of the consolidation. (Carried 9-0-1).

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

Legislator Gallagher motioned to enter Executive Session at 7:52 p.m. to discuss the above-mentioned matters, seconded by Legislator Read. (Carried 9-0-1).

Legislator Dame motioned to exit Executive Session at 8:34 p.m., seconded by Legislator Hall. (Carried 9-0-1).

There being no further business, Chairperson Dyer entertained a motion from Legislator Gallagher to adjourn Regular Session at 8:35 p.m., seconded by Legislator Keenan. (Carried 9-0-1).

Respectfully submitted,



Jeanene Bell
Senior Stenographer