

COUNTY OF CLINTON)
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STATE OF NEW YORK)

February 19, 2014

Stenographer's minutes of the Regular Session of the Clinton County Legislature held Wednesday, February 12, 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
Harry McManus, Area 1
Colin Read, Area 4
Patty Waldron, Area 6

ALSO PRESENT: Michael Zurlo, County Administrator
Rodney Brown, Deputy County Administrator
James Coffey, County Attorney
Melody Lemieux, Principal Stenographer

Chairperson Dyer called the meeting to order at 7:10 p.m.

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

Chairperson Dyer entertained a motion to accept the minutes of the January 22nd Regular Session. The motion was offered by Legislator Keenan and seconded by Legislator Beach. (Carried 10-0-0).

Chairperson Dyer invited Barbara Foster, the Director of Information Technology, to the podium. Mrs. Foster presented Thomas Lemieux, Network Administrator, with a plaque commemorating his 30 years of service to Clinton County. Mrs. Foster stated it was an honor and a privilege to present this achievement award to Tom Lemieux. Mrs. Foster stated she and Tom have worked together for all of those 30 years which gives her a unique insight into the kind of employee he is. During his tenure, Tom has moved from Operations, to Programming, to establishing the Wide Area Network which all employees rely on daily. He was instrumental in creating the connectivity of all the County buildings, bringing email and internet access to users and most importantly, keeping the County's network secure. Mrs. Foster stated the County has a true asset in Tom, and it was a great pleasure for her to acknowledge this. Mr. Lemieux thanked the Legislature and expressed his gratitude to the Legislature for working so well with the IT Department and supporting the Department's initiatives to make it such a success.

Chairperson Dyer asked if anyone in the audience wished to address the Legislature.

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

Committee Reports

Buildings and Grounds Committee – Colin Read

Legislator Read reported the Buildings and Grounds Committee met earlier in the afternoon. The Committee discussed several amendments to the 1996 Long-Term Master Plan and asked for information on additional projects for 2014. The

Buildings and Grounds Department is in the beginning phase of developing another Long-Term Master Plan. The County will be soliciting Requests for Qualifications for Architectural/Engineering Services to implement current and future Master Plan Projects.

The next meeting of the Buildings and Grounds Committee is scheduled for Wednesday, March 12th at 5:15 p.m.

Children and Family Services Committee – Patty Waldron

Legislator Waldron reported she and Legislator Hall recently met with John Redden, the Commissioner of the Department of Social Services. Mr. Redden provided them with a tour of the lower floor of the Human Services Center which is in dire need of renovations. They were also provided with a tour of the newly-renovated levels of the building. They discussed the increased number of children being placed in Foster Care; much of this is due to increased drug use in Clinton County. Foster Care has doubled within the last year. They also discussed the Home Energy Assistance Program and how this will be a tough year due to the extreme cold weather that we have experienced. Legislator Waldron stated the meeting was very informational.

The next meeting of the Children and Family Services Committee is scheduled for Thursday, March 6th at 6:15 p.m.

County Operations Committee – Colin Read

Legislator Read reported the Committee met with a number of staff from the Real Property Office, Information Technology, Board of Elections, Weights and Measures and the County Historian. The Committee approved a draft Resolution to contract with Gary Favro, the Assistant County Attorney. The Committee will continue discussing a number of issues with the Board of Elections.

Finance Committee – Mark Dame

The Finance Committee meeting, originally scheduled for Wednesday, February 5th, was rescheduled to Thursday, February 6th due to inclement weather.

Kimberly Davis, the County Treasurer, presented information on sales tax.

John Donahue, President of the Plattsburgh-Saranac Lake Buildings Trades

Council, was present to discuss Project Labor Agreements.

Resolutions #79 through #81 have been placed on the agenda as a result of the Committee's recommendations.

The next meeting of the Finance Committee is scheduled for Wednesday, March 5th at 5:15 p.m.

Health Committee – Jonathan Beach

Legislator Beach reported the Health Committee met in a joint meeting with the Transportation Committee on Monday, February 10th at 4:45 p.m. to discuss potential issues of transporting hazardous waste. Legislator McManus will provide further information under the Transportation Committee report.

Human Services Committee – Pete Keenan

Legislator Keenan reported the Human Services Committee met Thursday, February 6th. Crystal Carter, the Director of the Office for the Aging, presented Resolutions #97 through #99 which are included on the agenda upon the recommendation of the Committee. Wendie Bishop, the Nursing Home Administrator, presented Resolutions #100 through #102 which are included on the agenda upon the recommendation of the Committee. Steve Bowman, the Director of the Veterans' Service Agency, reviewed the monthly reports of contacts and services for November and December, 2013. Mr. Bowman distributed information regarding the Agency's mission statement. He discussed Veterans' Administration (VA) health care issues facing North Country veterans, proposed plans to close the VA Clinic in Malone, as well as issues facing the VA Regional Offices in New York City and Buffalo with regard to processing claims. Mr. Bowman discussed the possibility of installing a server which would provide a direct link between veterans and their service officers to the Veterans' Administration, which would expedite the services of the agency.

The next meeting of the Human Services Committee is scheduled for Wednesday, March 6th at 6 p.m.

Chairperson Dyer stated he had a question regarding the proposed plan to close the VA Clinic in Malone and asked why the Veterans' Administration would keep the Saranac Lake VA Clinic open when there are approximately five times the veterans in Malone. Mr. Zurlo stated the closure of the Malone VA Clinic would

direct more veterans to the Plattsburgh VA Clinic which would result in veterans having a longer wait. Mr. Zurlo will speak to Mr. Bowman regarding this. Mr. Zurlo reported Mr. Bowman has prepared a Resolution opposing the closure of the Malone VA Clinic which will be placed on the agenda for the February 26th Regular Session.

Personnel Committee – John Gallagher

Legislator Gallagher reported the Personnel Committee met last evening. The Committee approved one request for establishment of a new position that did not involve a County cost; two requests for replacement positions; and twenty-one requests for backfills. The Committee denied one request for additional sick leave outside the Sick Leave Bank that has been established for County employees.

The next meeting of the Personnel Committee meeting is scheduled for Monday, April 7th at 5:15 p.m.

Plattsburgh International Airport Committee – James Langley, Jr.

Legislator Langley reported all Legislators are invited to a Plattsburgh International Airport Committee meeting on Wednesday, February 19th at 5:15 p.m. McFarland-Johnson will provide a presentation regarding the Terminal Building Expansion Project.

The Committee will hold its regular monthly meeting on Wednesday, February 26th at 5:15 p.m. prior to the Regular Session.

Public Safety Committee – Robert Hall

Legislator Hall reported he met with Sheriff Favro and was provided with a tour of the Clinton County Jail. One of the biggest problems being experienced at the Jail is high health costs associated with the many individuals being arrested for drug abuse.

Legislator Hall stated he also met with Probation Director Dave Marcoux. He reported there is concern regarding Probation Officers having to go to probationers' homes and the need for them to have the ability to carry firearms. Another safety concern is the lobby in the Probation Department. Mr. Marcoux is proposing to locate a duty officer with a fire arm in the lobby to alleviate this concern. Mr. Zurlo stated a proposed Fire Arms Policy has been discussed, and once the language is finalized, the Policy will be presented to the Legislature for consideration.

Transportation Committee – Legislator McManus

Legislator McManus reported a joint meeting of the Health and Transportation Committees was held Monday, February 10th at 4:45 p.m.

A 20-minute presentation was made by Mary Dufort, Co-Chair of the Hydro Fracking Study Group of the League of Women Voters of the North Country regarding public health and environmental concerns regarding the transportation of hazardous materials in Clinton County. Informational material was provided to the Committee. Approximately twelve counties have adopted legislation banning fracking waste/use and disposal. It was agreed that an inventory of Clinton County would first be done to see if any of the items they mentioned were located in Clinton County. It was found Clinton County does not accept fracking waste at the landfill and does not use fracking brine on any of the roads in Clinton County. A decision was made to defer a final decision on the matter at a future Transportation Committee meeting. Legislator McManus stated he feels the County has three options: 1) to pass a Local Law to ban these safety concerns; 2) since there is no specific problem here in Clinton County, keep the status quo; or 3) wait for Governor Cuomo to make a decision to allow or not allow fracking drilling in New York State prior to making any decision on this issue.

Legislator Gallagher had previously questioned why those twelve counties had passed the Local Laws. He noted all twelve of the counties are located in the New York City watershed.

Legislator Langley stated one representative from the Hydro Fracking Study Group at the presentation had stated fracking brine was already in New York State and was being used on roads in Watertown. Following the presentation, Legislator Langley contacted Scott Docteur of the New York State Department of Transportation (NYSDOT) to discuss this. Legislator Langley stated he was assured it is diluted salt material cut with some magnesium chloride which is part of the sanding/salting process. Legislator Langley emailed the League of Women Voters to

provide them with this information.

The next meeting of the Transportation Committee is tentatively scheduled for Monday, March 10th at 5:15 p.m.

Liaison Reports

Chamber of Commerce – Colin Read

Legislator Read reported several meetings have been held with the Strategic Tourism Planning Committee and Government Affairs Committee over the last month.

Board of Health – Jonathan Beach

Legislator Beach reported he and Mr. Zurlo will be attending the State's Public Health Accreditation Board meeting on Thursday, March 13th.

Intercounty Legislative Committee of the Adirondacks – James Langley, Jr.

Legislator Langley reported the Intercounty Legislative Committee of the Adirondacks will meet in Essex County on Thursday, February 27th.

Jury Board – Mark Dame

Mr. Zurlo reported the Jury Board deals with vacancies on the Jury Board. Judge McGill is also a member of the Board.

Lake Champlain/Lake George Regional Planning Board – James Langley, Jr.

Legislator Langley reported he has received and reviewed the vouchers for payment and has signed and returned them.

Supreme Court Library Trustee – Mark Dame

Mr. Zurlo reported the Supreme Court utilizes office space on Oak Street which is owned by Clinton County. A meeting is held once a year with Judge Lahtinen, the Superintendent of Buildings and Grounds and the Supreme Court Library Trustee to discuss if there are any needed repairs or further accommodations that can be made for the Court.

Staff Reports

County Attorney – James Coffey

James Coffey, Esq. requested an Executive Session to discuss a litigation matter.

County Administrator – Michael Zurlo

Mr. Zurlo reminded Legislators that photograph orders of the County Legislature would be placed on Thursday, February 13th.

Mr. Zurlo announced the Governor's Office has informed him the Adirondack Challenge closing ceremony has been postponed due to weather.

There being no further reports, Chairperson Dyer moved onto Resolutions. The following Resolutions were unanimously adopted, unless otherwise noted:

Resolutions #62 through #70 were approved.

Resolution #71 titled, "Authorizing Contract with De Lage Landen Financial Services – Information Technology" was moved by Legislator Read, seconded by Legislator Dame. Carried (10-0-0).

Discussion: Mr. Zurlo reported the Director of Information Technology (IT) discussed this Resolution at the February 12, 2014 County Operations Committee meeting. While it appears there is a brand new cost to the County for this contract, it will save a considerable amount of money over the next five years.

Resolutions #72 through #74 were approved.

Resolution #75 titled, "Authorizing Contract with Primelink – Board of Elections" was offered by Legislator Dame, seconded by Legislator Keenan. Legislator Read abstained as he has a conflict. Carried (9-0-0-1).

Resolution #76 was approved.

Resolution #77 titled, "Authorizing the Purchasing Agent to Solicit Bids for a 2014 Pickup Truck – Weights and Measures" was moved by Legislator Read, seconded by Legislator Dame.

Discussion: Legislator Dame pointed out the Resolution specified a “2014” pickup. He noted there are currently a great number of new, 2013 pickups that are currently on sale, have great rebates and would save the County money. Legislator Dame motioned to amend the Resolution to delete “2014” and replace with “new.” The motion on the amendment was seconded by Legislator Read. Carried (10-0-0). The vote on the Resolution, as amended, was adopted and Carried (10-0-0).

Resolutions #78 through #100 were approved.

Resolution #101 titled, “Authorizing Contract with Bob’s Instant Plumbing – Nursing Home” was moved by Legislator Keenan, seconded by Legislator Read.

Discussion: Legislator Hall stated the clause in the second paragraph “as well as for future repairs, as needed” be deleted as per the Human Services Committee’s recommendation at its meeting of February 6, 2014, seconded by Legislator Dame. The motion on the amendment was made by Legislator Hall, seconded by Legislator Dame. Carried (10-0-0). The vote on the Resolution, as amended, was adopted and Carried (10-0-0).

Resolutions #102 through #110 were approved.

Resolution #111 titled, “Approving Backfill of a Permanent, Part-Time Activities Aide Position (PCN 2775) – Nursing Home” was moved by Legislator Gallagher, seconded by Legislator McManus. Carried (10-0-0).

Discussion: Legislator Gallagher noted the Nursing Home has had difficulty in maintaining employees in this position. He noted although it is a part-time position, it is an important position for the residents of the Nursing Home. This position has been backfilled numerous times during the last couple of years.

Resolution #112 titled, “Approving Backfill of a Permanent, Full-Time Nurse’s Aide Position (PCN 2698) – Nursing Home” was moved by Legislator Gallagher, seconded by Legislator Hall. Carried (10-0-0).

Discussion: Legislator Dame inquired if Mr. Zurlo knew how many employees were employed by the Clinton County Nursing Home. He noted there seems to be a lot of turnover. Mr. Zurlo replied he was unsure of the exact number, but there are numerous Certified Nurse’s Aides (CNAs), Licensed Practical Nurses (LPNs) and Registered Nurses (RNs). Legislator Langley stated going back a number of years,

there was a period of time where backfills were automatically approved. Legislator Langley added that it takes very special people to do these jobs; it is very demanding and very heartfelt. Many staff members get close to the residents, the residents pass on, and it is very trying on them emotionally. Legislator Beach added that many of the individuals in these positions are also likely furthering their education and moving on.

Resolutions #113 through #118 were approved.

Resolution #119 titled, "Approving Backfill of a Permanent, Full-Time Recording Clerk Position (PCN 2115) – County Clerk" was offered by Legislator Gallagher, seconded by Legislator McManus. Carried (9-1-0). Legislator Dame voted no.

Resolutions #120 through #128 were approved.

Resolution #129 titled, "Authorizing the Lease with an Option to Purchase a Surplus Property at the Former Clinton County Airport – Plattsburgh International Airport" was moved by Legislator Langley, seconded by Legislator Hall. Carried (10-0-0).

Discussion: Legislator Dame asked for clarification that when or if the property owner wishes to exercise their option to purchase the parcel, if the County would go out for an appraisal at the property owner's expense. Mr. Brown replied the property owner has already initiated the appraisal process and will be paying for the appraisal. Once the appraisal is completed, it will be brought back before the Plattsburgh International Airport Committee which will decide what value the County would establish as a price for the property.

Resolutions #130 through #151 were approved.

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

Resolution #152 was approved.

Chairperson Dyer entertained a motion to enter into Executive Session at 8:20 p.m. to discuss a litigation matter regarding the Turtle Island Trust. The motion was offered by Legislator Gallagher, seconded by Legislator Hall. Carried (10-0-0).

Legislator Gallagher motioned to exit Executive Session at 8:50 p.m. and return to Regular Session, seconded by Legislator Dame. Carried (10-0-0).

There being no further business to come before the Board, Legislator Gallagher motioned to adjourn at 8:51 p.m., seconded by Legislator Hall. Carried (10-0-0).

Respectfully submitted,



Melody Lemieux
Principal Stenographer

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