

COUNTY OF CLINTON)
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STATE OF NEW YORK)

July 29, 2013

Stenographer's minutes of the Regular Session of the Clinton County
Legislature held Wednesday, July 24, 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
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 Zurlo, County Administrator
Rodney Brown, Deputy County Administrator
William Favreau, County Attorney
Melody Lemieux, Principal Stenographer

Chairperson Langley called the meeting to order at 7:15 p.m.

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

Legislator Butler offered a motion to accept the minutes of the July 10th Regular Session, seconded by Legislator Dyer. (Carried 9-0-1).

Chairperson Langley invited Legislator Gallagher to the podium to present a plaque to Dr. Barry Mack, congratulating him on the occasion of his retirement from CV-Tec.

Chairperson Langley asked if anyone in the audience wished to address the Legislature. He asked that individuals raise their hand and state their name and address for the record. In accordance with the Rules of Order, all speakers were limited to five minutes.

Karen Bisso (who resides at 7 Pinebrook Drive, Morrisonville), on behalf of the Citizens for the Constitution, extended an invitation to Legislators to attend a SAFE Act Rally at the US Oval on Friday, August 9, 2013 from 5:30 p.m. – 7:30 p.m. The featured speaker will be Sheriff Mack from Arizona. The purpose of the Rally is to educate citizens on how the SAFE Act will affect people's lives, to provide a historical account of the Second Amendment, to celebrate the rights granted to citizens under the United States Constitution and to urge citizens to become more actively involved in government.

Steve McLean of 11 Brannon Drive, Beekmantown, spoke on behalf of the Outback Riders All-Terrain Vehicle (ATV) Club and presented a copy of a Resolution from Franklin County which supports the development of an ATV trail. (A copy of Franklin County's Resolution is attached and made part of the minutes). He stated the Club is interested in gaining access to utilize four miles of Clinton County roads. Mr. Zurlo reported this issue has been presented to the County's insurance company. The insurance company responded by stating that although they normally recommend municipalities do not do this, it is the municipality's decision as to whether or not allow access to the County roads. Mr. Zurlo stated this item will be discussed at the next Transportation Committee meeting which is scheduled for Monday, August 12th at 5:15 p.m. Mr. McLean stated it was his hope that this issue could be discussed prior to August 12th as it is close to the end of their riding season.

Elizabeth Ashline of Mooers (also a member of the Outback Riders All-Terrain Vehicle Club) reported members of the Club have donated over 27,000 hours volunteering at various events and benefit rides. She stated they will be volunteering at the upcoming Iron Man Competition, transporting athletes who can no longer participate in the race. They also transport ice to all the first aid stations. The club also participates in many local parades. Ms. Ashline stated members of the Club would be most appreciative if access to these County roads were granted.

Legislator Dame inquired if this would require a Resolution. Mr. Zurlo replied yes, a Resolution would be required. Mr. Zurlo felt it was important to have the County Highway Superintendent present at this discussion. This item will be placed on the next agenda for the Transportation Committee.

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

Committee Reports

Buildings and Grounds Committee – Samuel Dyer

Legislator Dyer reported there is an issue with the Government Center's transformer. Electricity to the building will be turned off at 5:30 p.m. on Thursday, July 25th. Mr. Zurlo noted the Department of Motor Vehicles would not be having extended evening hours. Announcements have been made on WIRY Radio.

Legislator Dyer also reported one of the elevators in the Government Center is not currently operational.

Buildings and Grounds staff have been trying to clean up cigarette butts around the grounds. Mr. Zurlo stated he has only seen one violation of the new policy. Additional signage will be added around the grounds.

County Operations Committee – Mark Dame

Legislator Dame reported the next meeting of the County Operations Committee is scheduled for Tuesday, August 6th at 6:15 p.m.

Finance Committee – Sara Rowden

Legislator Rowden reported the next Finance Committee meeting is scheduled for Wednesday, August 7th at 5:15 p.m. Clinton Community College will be presenting its 2013-2014 Budget request. Mr. Zurlo reported he and Legislator Dame met with President John Jablonski and Lisa Shovan, Chief Fiscal Officer. The College will be requesting an increase.

Mr. Zurlo reported County Department Heads will be receiving 2014 Budget packets on Wednesday, August 14th at 10:00 a.m. at the Department Head meeting.

Human Services Committee – Pete Keenan

Legislator Keenan reported the next Human Services Committee meeting is scheduled for Tuesday, August 6th at 5:15 p.m.

Personnel Committee – John Gallagher

Legislator Gallagher reported the next Personnel Committee meeting is scheduled for Thursday, August 1st at 5:15 p.m.

Plattsburgh International Airport Committee – Robert Heins

Legislator Heins reported the Plattsburgh International Airport Committee met prior to Regular Session.

Liaison Reports

Chamber of Commerce – Sara Rowden

Legislator Rowden reported the Strategic Tourism Planning Committee did not meet last week. The next meeting will be held Friday, August 7th.

Intercounty Legislative Committee – Mark Dame

Legislator Dame reported the next meeting of the Intercounty Legislative Committee will be at the New York State Association of Counties (NYSAC) Fall Conference in Saratoga Springs from September 25-27, 2013.

Community Services – Sara Rowden

Legislator Rowden reported the Community Services Board met Tuesday, July 23rd. St. Lawrence Psychiatric Center will be closing for inpatient services; however, outpatient services will be continued at the facility.

The Community Services Board approved Behavioral Services North, Inc.'s application to establish a mental health clinic that will be school-based at Northeastern Clinton Central School.

Soil and Water Conservation – Sara Rowden, Samuel Dyer

Legislator Rowden reported Soil and Water Conservation is working on the upcoming Legislative Farm Tour.

Legislator Dyer reported they will be discussing no-till drilling at his farm on Wednesday, July 31st.

Staff Reports

County Attorney – William Favreau

County Attorney William Favreau addressed the Legislature regarding a proposed Local Law which he would like to present to the Legislature. The General Municipal Law was amended last year (pertaining to competitive bidding). For any contracts over \$20,000, municipalities must go out to bid and award the contract to the lowest responsible bidder. This Law has been changed and now enables municipalities to adopt a Local Law to allow for a "best value award basis." Mr. Favreau will provide a draft Local Law for Legislators to review.

Mr. Favreau requested an executive session at the end of the meeting to discuss a matter of litigation.

County Administrator – Mike Zurlo

Mr. Zurlo reported the New York State Association of Counties Fall Conference will be held in Saratoga Springs from September 25-27, 2013.

Mr. Zurlo reported the County's sales tax extension Bill is now before the Governor. Once the Governor signs the Bill, the County will have to adopt a Resolution to effectuate it. The current authorization expires in November, 2013.

Mr. Zurlo reported the County has received both determinations on the Section 75 Hearings on the same individual. The Hearing Officer, in both cases, indicated the only proper remedy would be dismissal. The employee has been terminated, effective July 15, 2013.

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

Resolutions #541 through #558 were approved.

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

Resolution #559 was approved.

Resolution #560 titled, "Authorizing Water/Wastewater Utility Improvements-Phase II Project Grant Application – Plattsburgh International Airport" was moved by Legislator Heins, seconded by Legislator Dame.

Discussion: Deputy County Administrator Rodney Brown reported the County had been approved to receive Military Airport Program (MAP) funding for the total replacement of the waterlines at the Airport. The County received a call late last week that MAP funding would also be provided for Phase II of the Project which will reline 90 percent of the existing sewer lines, replace about 10 percent and clean out all the storm water lines. Carried (9-0-1).

Resolution #561 titled, "Authorizing Out-of-State Travel – Emergency Services" was offered by Legislator Butler, seconded by Legislator Gallagher.

Discussion: Legislator Dame stated this travel is for a nine-day seminar. He stated while there is no cost associated to the County for this travel, he would like the Department to calculate (along with the cost of meals and travel) the money the County will have to spend to cover this individual's work while he is away. Mr. Zurlo stated he would have the Department Head provide the information. Carried (9-0-1).

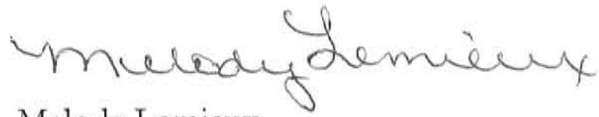
Resolutions #562 through #565 were approved.

Legislator Dyer motioned to enter into Executive Session at 8:22 p.m. to discuss a matter of litigation, seconded by Legislator Heins. Carried (9-0-1).

Legislator Gallagher motioned to exit Executive Session and return to Regular Session at 8:37 p.m., seconded by Legislator Heins. Carried (9-0-1).

Legislator Gallagher motioned to adjourn the meeting at 8:38 p.m., seconded by Legislator Beach. Carried (9-0-1).

Respectfully submitted,



Melody Lemieux
Principal Stenographer

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