

COUNTY OF CLINTON)
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STATE OF NEW YORK)

March 28, 2014

Stenographer's minutes of the Regular Session of the Clinton County Legislature held
Wednesday, March 26, 2014 in the Legislative Chambers, 137 Margaret Street, Plattsburgh, New York.

PRESENT: Jonathan Beach, Area 2
Mark Dame, Area 8
Samuel Dyer, Area 3, Chairperson
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

EXCUSED: John Gallagher, Area 9

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 7:12 p.m.

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

Legislator Keenan motioned to accept the minutes of the March 13th Regular Session, seconded by Legislator Hall. (Carried 9-0-1).

Chairperson Dyer asked if anyone wished to address the Legislature. Patrick Murnane of Murnane Building Contractors, Inc. (1 Point View Terrace, Plattsburgh) addressed the Legislature regarding Resolution #218 on the agenda titled, "Supporting Scaffold Law Reform and Senate Bill 111 and Assembly Bill 3104." Mr. Murnane reported the Scaffold Law dates back to 1885 and was put in place because in the past, industry workers working on high-rise projects were not being protected and did not have adequate safety equipment. Mr. Murnane stated over time, safety concerns have been addressed by the Occupational Safety and Health Association (OSHA) and the New York State Department of Labor and safety has greatly improved. Mr. Murnane explained this Law requires builders to pay very high insurances rates. In recent years, members of the building industry have tried to get this Law repealed; however, they have been rebuffed by the trial lawyers who get a substantial amount of their income from these cases. Mr. Murnane stated New York is the only remaining State that continues to have a Scaffold Law. The last State to repeal the Law (in 1995) was Illinois. After the Law was repealed, construction safety improved substantially, and they found that construction and development projects significantly improved due to the fact the builders didn't have excessively high insurances rates. Now, instead of trying to repeal the Law, members of the construction trade are trying to get the Law reformed. If a worker does something wrong and causes part of the accident, (by using drugs or alcohol for example), the worker would be held accountable. Mr. Murnane stated it costs an additional \$10,000 for every house that is built because of these high insurance rates. A study conducted by the SUNY Rockefeller Institute found this Law costs New York State taxpayers \$3 billion annually. He thanked the County Legislature for their efforts in supporting the reform of the Scaffold Law.

Eva Jankowska, Director of the Clinton-Essex-Franklin Library system and a resident at 68 Smith Street, Rouses Point, thanked the Legislature for granting the Library's request for Tobacco Settlement Funds. The C-E-F Library is now ready to move its servers to Watertown to the neighboring library for the cloud service. She invited Legislators to visit their website. Ms. Jankowska stated the Library now has many e-books, and there are 50 databases that are available through the Library's website.

There being no one further who wished 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 next meeting of the Buildings and Grounds Committee is scheduled for Wednesday, April 9th at 5:15 p.m.

Children and Family Services Committee – Legislator Waldron

Legislator Waldron reported the next meeting of the Children and Family Services Committee is scheduled for Tuesday, April 8th at 6:15 p.m.

County Operations Committee – Legislator Read

Legislator Read reported the next meeting of the County Operations Committee is scheduled for Wednesday, April 9th at 6 p.m.

Finance Committee – Legislator Dame

Legislator Dame reported the next meeting of the Finance Committee is scheduled for Wednesday, April 2nd at 5:15 p.m.

Health Committee – Legislator Beach

Legislator Beach reported the next meeting of the Health Committee is scheduled for Tuesday, April 8th at 5:15 p.m.

Plattsburgh International Airport Committee – Legislator Langley

Legislator Langley reported the Plattsburgh International Airport Committee met earlier this evening. Last week, Legislator Langley, Deputy County Administrator Rodney Brown and Airport Manager Chris Kreig teleconferenced with Rob Leavine and the New York Airport District Office (NYADO) regarding funding the Terminal Building Expansion Project and the review of other projects at PBG. The teleconference went very well.

Mr. Brown reported the Design Team of McFarland Johnson/ URS are now through the Development/Design Phase. The Construction Design Phase is the final step. The Legislature was provided with updated cost figures for the Project. Mr. Brown reported the Legislature will continue discussions regarding moving forward with the Federal Inspection Station (FIS) Grant.

Legislator Langley stated the Committee discussed the need to conduct a Feasibility Study for the construction of a hotel. This study will cost \$4,600.

Public Safety Committee – Legislator Hall

Legislator Hall reported the next meeting of the Public Safety Committee is scheduled for Monday, April 14th at 5:15 p.m.

Transportation Committee – Legislator McManus

Legislator McManus reported he and Legislator Waldron met with County Highway Superintendent Al Rascoe to discuss the posting of County roads for five-ton axle rate. It is anticipated roads will be posted for a period of four-to-seven weeks due to the rough winter. Legislator McManus stated the fines are quite substantial. Hopefully, by mid-April or May, the postings will be lifted.

Liaison Reports

Clinton Community College – Legislator Dame

Legislator Dame reported there are three finalists for the position of Vice President of Student Affairs at Clinton Community College. An Open House for prospective students will be held Saturday, March 29th at 2 p.m.

Cooperative Extension – Legislator McManus

Legislator McManus reported Cooperative Extension received an update on the Nutrition Grant. There were 450 people that participated in the Food from the Farm Program which was very successful.

Board of Health – Legislator Beach

Legislator Beach reported the Board of Health met Monday, March 24th. The Board was provided with an overview of the Women, Infants and Children (WIC) Program and an update on PHAB Accreditation. The Board is aware of the problem areas: workforce development, performance monitoring systems, building security and handicap access to the building.

Intercounty – Legislator Langley

Legislator Langley reported the Intercounty Legislative Committee of the Adirondacks met Thursday, March 20th in Saratoga County at the Saratoga Military Museum. The meeting was well attended. All northern tier counties are now on board and will be meeting the fourth Thursday of the month. Dave Lucas of the New York State Association of Counties (NYSAC) provided the legislative update and discussed the Governor's proposed State budget.

Soil and Water Conservation District – Legislator Read

Legislator Read reported Soil and Water Conservation met and discussed additional methods to contain costs. All Legislators have been provided with a copy of the Soil and Water minutes.

Grievance Committee – Legislator Langley

Legislator Langley reported a meeting of the Grievance Committee was held and referred the issue onto the Labor Management Committee.

Discipline Review – Mr. Zurlo

Mr. Zurlo reported a Discipline Review meeting is scheduled for Tuesday, April 8th at 10 a.m. in the Personnel Department Conference Room.

Staff Reports

County Attorney James Coffey requested an Executive Session regarding the potential litigation against Clinton County by Scott Geddes, Dan's Hauling and the Turtle Island Trust.

Mr. Zurlo reported he would also like to discuss a matter pertaining to the sale or lease of property in Executive Session.

The following Resolutions were approved unless otherwise noted.

Resolutions #218 and #219 were approved.

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

Resolution #234 titled, "Approving Appointment of Susan R. Castine as Board of Elections Commissioner" was moved by Chairperson Dyer and Legislators Beach, Hall, McManus and Waldron, seconded by Legislators Langley, Read, Keenan and Dame. Carried (9-0-1).

Resolutions #220 through #226 were approved.

Resolution #227 titled, "Supporting Improvements to the Transportation Corridor in Northern New York"

Discussion: Legislator McManus stated following discussion, it has been recommended to support the two concepts together in this Resolution. Carried (8-0-1-1). (Legislator Dame voted no).

Resolutions #228 through #233 were approved.

Chairperson Dyer entertained a motion from Legislator Beach to enter into Executive Session at 7:47 p.m. to discuss matters of pending litigation regarding the Scott Geddes case, Turtle Island Trust, Dan's Hauling, and the sale and/or lease of real property, seconded by Legislator Dame. Carried (9-0-1).

Chairperson Dyer entertained a motion from Legislator Dame to exit Executive Session and return to Regular Session at 8:12 p.m., seconded by Legislator Read. Carried (9-0-1).

The Legislature informally continued discussion on the Airport Terminal Expansion Project and the proposed hotel development.

There being no further business, Chairperson Dyer entertained a motion from Legislator Hall to adjourn Regular Session at 8:42 p.m., seconded by Legislator Beach. Carried (9-0-1).

Respectfully submitted,



Melody A. Lemieux
Principal Stenographer