

COUNTY OF CLINTON)  
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STATE OF NEW YORK)

March 10, 2023

Stenographer's minutes of the Regular Session of the Clinton County Legislature held Wednesday, March 8, 2023 in the Legislative Chambers, 137 Margaret Street, Plattsburgh, New York.

PRESENT: David Bezio, Area 4  
Calvin Castine, Area 1  
Robert Hall, Area 10  
Mark Henry, Chairperson, Area 3  
Wendell Hughes, Area 8  
Joshua Kretser, Area 9  
Francis Peryea, Area 2  
Richard Potiker, Area 5  
Rob Timmons, Area 7  
Patty Waldron, Area 6

ALSO PRESENT: Michael Zurlo, County Administrator  
Kim Kinblom, Deputy County Administrator  
Jacqueline Kelleher, County Attorney

Chairperson Henry called the meeting to order at 5:15 p.m.

Michael Zurlo, the County Administrator, conducted roll call.

Legislator Hughes motioned to accept the minutes of the February 22, 2023 Regular Session, seconded by Legislator Bezio. Carried (10-0-0).

Chairperson Henry asked if anyone wished to address the Legislature.

There being no one to address the Legislature, Chairperson Henry moved on to Committee Reports.

### **Buildings and Grounds Committee – Legislator Bezio**

Legislator Bezio reported the Buildings and Grounds Committee has not met since the last Regular Session.

The next Buildings and Grounds Committee meeting is tentatively scheduled for Monday, March 13<sup>th</sup> at 4:00 p.m.

### **Children and Family Services Committee – Legislator Potiker**

Legislator Potiker reported the Children and Family Services Committee met on Tuesday, March 7<sup>th</sup>.

Commissioner John Redden was present to discuss the resolution, “Authorizing Out-of-State Travel,” monthly statistics, a child fatality and the Home Energy Assistance Program (HEAP). He also reviewed two resolutions for the Youth Bureau.

Resolutions #175 through #177 have been placed on the agenda upon the recommendation of the Committee.

The next Children and Family Services Committee meeting is tentatively scheduled for Tuesday, April 4<sup>th</sup> at 5:15 p.m.

At this time, and on behalf of Clinton County, Legislator Potiker recognized the retirement of Commissioner John Redden occurring on Friday, March 17<sup>th</sup>, and commend him on his remarkable career and leadership at the Clinton County Department of Social Services.

### **Economic Development and County Operations Committee – Legislator Waldron**

Legislator Waldron reported the Economic Development and County Operations Committee met earlier.

Shannon Thayer, the Senior Planner, was present to discuss the resolution, “Amending Resolution #847 dated November 14, 2018 titled, “Approving 2019 Budget and Memorandum of Agreement for the Lake Champlain-Lake George Regional Planning Board.”

Mary Dyer and David Souliere, Commissioners of the Board of Elections, were present to discuss several resolutions including, “Authorizing Contract with Dominion Voting.”

Molly Ryan, the Economic Development Director, was also present to provide updates on the Clinton County Business Innovation Gateway and website development. She also discussed a CDS application and the consideration of feasibility studies.

Resolutions #178 through #183 have been placed on the agenda upon the recommendation of the Committee.

The next Economic Development and County Operations Committee meeting is tentatively scheduled for Wednesday, April 12<sup>th</sup> at 4:00 p.m.

#### **Finance Committee – Legislator Timmons**

Legislator Timmons reported the Finance Committee met on Thursday, March 2<sup>nd</sup>.

Rebecca Murphy, the Deputy County Treasurer, was present to discuss the 2023 Sales Tax Chart, the 2023 Town/County Tax Installments, In Rem Foreclosure, the Correction of Error Report and the resolution, “Authorizing Contract with Alltech Integrations Corporation.”

Resolutions #184 through #186 have been placed on the agenda upon the recommendation of the Committee.

The next Finance Committee meeting is tentatively scheduled for Wednesday, April 5<sup>th</sup> at 5:15 p.m.

#### **Health Committee – Legislator Hughes**

Legislator Hughes reported the Health Committee met on Thursday, March 2<sup>nd</sup>.

Richelle Gregory, the Director of Community Services, was present to discuss the resolution, “Approving Appointment to the Community Services Board - Developmental Disabilities Services Committee” and the Crisis Intervention Team.

Jeff Sisson, the Public Health Director, discussed several resolutions including, “Authorizing Climate Change and Health Adaptation Projects Grant Application,” the Director’s Report for January, 2023 and the Health Department Report for February, 2023.

Casella Waste Management, Inc. was also present to discuss Bio Solids.

Resolutions #187 through #190 have been placed on the agenda upon the recommendation of the Committee.

The next Health Committee meeting is tentatively scheduled for Wednesday, April 5<sup>th</sup> at 4:00 p.m.

#### **Human Services Committee – Legislator Peryea**

Legislator Peryea stated the Human Services Committee met on Tuesday, March 7<sup>th</sup>.

Jodi Mercaldi, the Administrative Assistant at the Office for the Aging, was present to discuss several resolutions including, “Authorizing Out-of-State Travel.”

Wendie Bishop, the Nursing Home Administrator, was present to discuss the resolution, “Amending Resolution #840 dated November 9, 2022 titled, “Authorizing Various Contracts for the Year 2023.”

Kevin LeBoeuf, the Director of the Veterans’ Service Agency, discussed the resolution, “Authorizing Payment of Memberships Dues” and monthly statistics for January, 2023.

Resolutions #191 through #195 and Resolution #214 have been placed on the agenda upon the recommendation of the Committee.

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

#### **Personnel Committee – Legislator Henry**

Legislator Henry reported the Personnel Committee met on Monday, March 6<sup>th</sup>.

Resolutions #215 through #219, under Waive Rule 13.2, have been placed on the agenda upon the recommendation of the Committee. The remainder of the resolutions will be placed on the March 22<sup>nd</sup> Regular Session.

The next Personnel Committee meeting is tentatively scheduled for Monday, April 3<sup>rd</sup> at 5:00 p.m.

#### **Plattsburgh International Airport Committee – Legislator Hall**

Legislator Hall reported the Plattsburgh International Airport Committee has not met since the last Regular Session.

Resolutions #196 through #198 and Resolution #199, through a poll, have been placed on the agenda upon the recommendation of the Committee.

The next Plattsburgh International Airport Committee meeting is tentatively scheduled for Wednesday, March 22<sup>nd</sup> at 4:00 p.m.

#### **Public Safety Committee – Legislator Castine**

Legislator Castine reported the Public Safety Committee met on Monday, March 6<sup>th</sup>.

David Marcoux, the Probation Director, was present to discuss the resolution, “Authorizing Payment of Membership Dues.”

Jamie Douthat, the Chief Assistant District Attorney, was present to discuss resolutions, “Authorizing Payment of 2023 Membership Dues” and “Authorizing Out-of-State Travel.”

Jami Rock, the Administrative Assistant at the Child Advocacy Center, discussed several resolutions including, “Authorizing Out-of-State Travel.”

Jamie Martineau, the Public Defender, was also in attendance to discuss the resolution, “Authorizing the Payment of Membership Dues.”

Resolutions #200 through #207 have been placed on the agenda upon the recommendation of the Committee.

The next Public Safety Committee meeting is tentatively scheduled for Monday, April 3<sup>rd</sup> at 4:00 p.m.

Legislator Castine also noted they are continuing to monitor the situation at the northern border and are receiving feedback and news stories happening there.

#### **Transportation Committee – Legislator Kretser**

Legislator Kretser reported the Transportation Committee has not met since the last Regular Session.

Resolution #208 has been polled and placed on the agenda upon the recommendation of the Committee.

The next Transportation Committee meeting is tentatively scheduled for Monday, March 13<sup>th</sup> at 5:15 p.m.

## **LIAISON REPORTS**

### **Board of Health – Legislator Potiker**

Legislator Potiker reported the next Board of Health meeting is scheduled for Monday, March 20<sup>th</sup> at 7:00 p.m.

### **Clinton Community College – Legislator Bezio**

Legislator Bezio reported he received a correspondence from Clinton Community College's President John Kowal thanking the Legislature for their adoption of the Advocate on Behalf of SUNY Community College's resolution to increase funding for community colleges in the State Budget.

### **Intercounty of the Adirondacks – Legislator Waldron**

Legislator Waldron stated the joint Intercounty Committee met on Wednesday, March 1<sup>st</sup> at the New York State Association of Counties (NYSAC) Conference. As New York State readies for electric vehicle transition, companies such as the NYS Agency and Blink, were in attendance to help counties transition to electric fleets and charging stations, and inform on how to obtain monies to help counties do so.

## **STAFF REPORTS**

### **County Attorney – Jacqueline Kelleher, Esq.**

Ms. Kelleher did not have a report.

### **County Administrator – Michael Zurlo**

Mr. Zurlo requested an Executive Session to discuss the sale and lease of real property. Mr. Zurlo reported NYSAC Executive Director Stephen Acquario met with Speaker Carl Heastie to discuss the Enhanced Federal Medicaid Assistance Percentage (eFMAP) issue and a hurdle was crossed in that the State Assembly will express their dissatisfaction in their one house budget bill, so that is the starting point to negotiate in earnest. Any deal will have to be made with the Executive.

### **Chairpersons Report**

Chairperson Henry did not have a report.

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

Resolutions #175 through #177 were approved.

Resolution #178 titled, "Amending Resolution #874 dated November 14, 2018 titled, "Approving 2019 Budget and Memorandum of Agreement for the Lake Champlain-Lake George Regional Planning Board" was motioned by Legislator Waldron and seconded by Legislator Castine. Carried (10-0-0).

Discussion: Mr. Zurlo stated this is strictly a clean-up and does not affect the County's allocation to the Lake Champlain/Lake George Regional Planning Board.

Resolutions #179 and #180 were approved.

Resolution #181 titled, "Authorizing Contract with Dominion Voting" was motioned by Legislator Waldron and seconded by Legislator Timmons. Carried (10-0-0).

Discussion: Mr. Zurlo reported this resolution was amended in Committee, and as such, must be amended for the full Board. Under the County cost in the Election Management Software blurb, the figure should read \$0, to be paid with American Rescue Plan Act (ARPA) funds. Under the ImageCast Evolution Voting Machines blurb, the change is from five units to three units, resulting in a decrease in the county cost from \$54,525 to \$32,715, with a county cost of \$0, as this will also be paid with ARPA funds.

Legislator Krester motioned to approve the amended resolution, seconded by Legislator Hughes. Carried (10-0-0).

Legislator Waldron motioned to approve the amended Resolution #181, seconded by Legislator Timmons. Carried (10-0-0).

Resolution #182 titled, "Authorizing Contract with Enhanced Voting" was motioned by Legislator Waldron and seconded by Legislator Castine. Carried (10-0-0).

Discussion: Mr. Zurlo reported there is a correction to the resolution; the County cost should read \$0, as the cost is charged back to the municipalities.

Legislator Krester motioned to approve the amended resolution, seconded by Legislator Bezio. Carried (10-0-0).

Legislator Waldron motioned to approve the amended Resolution #182, seconded by Legislator Castine. Carried (10-0-0).

Resolutions #183 through #208 were approved.

Resolution #209 titled, "Authorizing the County Treasurer to Increase Appropriation and Corresponding Revenue for the Workforce Investment Act Grant – Employment and Training" was motioned by Legislator Timmons and seconded by Legislator Castine. Carried (9-0-0-1).

Discussion: Legislator Kretser abstained.

Resolution #210 titled, "Authorizing the County Treasurer to Establish Appropriation and Corresponding Revenue for the Workforce Innovation and Opportunity Act Grant" was motioned by Legislator Timmons and seconded by Legislator Bezio. Carried (9-0-0-1).

Discussion: Legislator Krester abstained.

Resolutions #211 and #212 were approved.

Resolution #213 titled, "Authorizing the County Treasurer to Re-Appropriate 2022 Funds for Various Accounts" was motioned by Legislator Timmons and seconded by Legislator Hall. Carried (9-0-0-1).

Discussion: Legislator Krester abstained.

Resolution #214 was approved.

Upon a request from Cindy Gallichio, the President of the Civil Service Employee's Association (CSEA), and on a motion from Legislator Hall, seconded by Legislator Hughes, the Legislature approved to break from the agenda and allow public comment. Carried (10-0-0).

Ms. Gallichio, who is representing the membership, stated the Office for the Aging is asking to hire a Case Manager higher than a Step 1, and knows this happens time-to-time, doesn't know the criteria but hopes is related to experience. She does not feel the candidate, who is a 20-year Occupational Therapist, is qualified for the position, has not put in their due time to receive the Step and doesn't feel it fair to the rest of the employees in the County and feels it will cause animosity.

Bill Wells, a 22-year County employee, is disheartened that this is happening, doesn't understand it and feels it is sending the wrong message to the people who have been here with the County. He believes it will cause people to move to the State and leave the County.

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

Resolution #215 was approved.

Resolution #216 titled, "Approving Backfill of a Permanent, Full-Time Case Manager for Elderly Services Position (PCN 3212)" was motioned by Legislator Kretser and seconded by Legislator Timmons. Carried (10-0-0).

Discussion: Legislator Waldron asked for those not on the Personnel Committee, can the Legislature be briefed on the two resolutions.

Chairperson Henry stated he can't go into much, as this matter would require an Executive Session, but stated from time-to-time, in the past, with positions that are hard to fill, the Personnel Committee offers the Department Head the ability to hire up to a Step 3, 4 or 5 for example. This was discussed and approved in the Personnel Committee and brought forth to the Legislature.

Legislator Hall motioned to enter into Executive Session at 5:47 p.m., seconded by Legislator Hughes to discuss a Personnel matter. Carried (10-0-0).

Legislator Hall motioned to exit Executive Session at 6:39 p.m., seconded by Legislator Peryea to discuss a Personnel matter. Carried (10-0-0).

Mr. Zurlo reread Resolution #216 titled, "Approving Backfill of a Permanent, Full-Time Case Manager for Elderly Services Position (PCN 3212)" and was motioned by Legislator Kretser and seconded by Legislator Timmons. Carried (8-2-0).

Discussion: Messrs. Hall and Hughes voted in the negative.

Resolution #217 titled, "Approving Backfill of a Permanent, Full-Time Case Manager for Elderly Services Position (PCN 4237)."

Discussion: Legislator Krester motioned to amend to resolution to hire at a Step 1, seconded by Legislator Waldron. Carried (7-3-0).

Discussion: Messrs. Hall, Bezio and Peryea voted in the negative.

Legislator Krester motioned to approve the resolution as amended, seconded by Legislator Waldron. Carried (7-3-0).

Discussion: Messrs. Hall, Bezio and Peryea voted in the negative.

Resolutions #218 and #219 were approved.

Legislator Hall motioned to enter into Executive Session at 6:44 p.m., seconded by Legislator Timmons. Carried (10-0-0).

Legislator Krester motioned to exit Executive Session at 7:32 p.m., seconded by Legislator Waldron. Carried (10-0-0).

There being no further business to come before the Legislature, Legislator Waldron motioned to adjourn the meeting at 7:33 p.m., seconded by Legislator Hughes. Carried (10-0-0).

Respectfully submitted,



Toni M. Moffat

Executive Secretary to the County Administrator

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