

COUNTY OF CLINTON)
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STATE OF NEW YORK)

May 17, 2016

Stenographer's minutes of the Regular Session of the Clinton County Legislature held
Wednesday, May 11, 2016 in the Legislative Chambers, 137 Margaret Street, Plattsburgh, New York.

PRESENT: Jonathan Beach, Area 2
Mark Dame, Area 8
Samuel Dyer, Area 3
Christopher Rosenquest, Area 9
Robert Hall, Area 10
Pete Keenan, Area 5
Rob Timmons, Area 7
Harry McManus, Chairperson, Area 1
Colin Read, Area 4
Patty Waldron, Area 6

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

Chairperson McManus called the meeting to order at 7:00 p.m.

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

Legislator Keenan motioned to accept the minutes of the April 27, 2016 Regular Session, seconded by Legislator Dyer. (Carried 10-0-0).

Chairperson McManus proclaimed the month of May, 2016 Older Americans' Month in Clinton County. He presented a copy of the Proclamation to Crystal Carter, the Director of the Clinton County Office for the Aging.

Chairperson McManus asked if anyone wished to address the Legislature.

There being no one who wished to address the Legislature, Chairperson McManus moved on to Committee Reports.

Committee Reports

Buildings and Grounds – Legislator Read

Legislator Read reported the Buildings and Grounds Committee met earlier. He reported Resolution #302 has been withdrawn, and Resolution #303 has been placed on the agenda upon the recommendation of the Committee.

The next meeting is scheduled for Wednesday, June 8th at 5:15 p.m.

Children and Family Services – Legislator Waldron

Legislator Waldron reported the Children and Family Services Committee meeting scheduled for Thursday, May 5th was cancelled. Resolutions #304 and #305 were polled and are included on the agenda upon the recommendation of the Committee.

The next meeting is scheduled for Thursday, June 2nd at 6:15 p.m.

Legislator Waldron reported the annual Foster Parent Dinner will be held Thursday, May 19th at the Elks Club. She asked if Legislators had not already RSVP'd to the Legislative Office staff to please do so by Friday, May 13th.

County Operations – Legislator Read

Legislator Read reported the County Operations Committee met earlier. He reported Resolution #306 has been placed on the agenda upon the recommendation of the Committee. The next meeting is scheduled for Wednesday, June 8th at 6 p.m.

Mr. Zurlo reported a resolution supporting passage of legislation to increase the amount of money that County governments are able to retain for Department of Motor Vehicle transactions from 12.7 percent to 25 percent was approved at the County Operations Committee meeting and will be placed on the Wednesday, May 25th Regular Session agenda.

Economic Development Ad Hoc – Legislator Rosenquest

Legislator Rosenquest reported the Economic Development Ad Hoc Committee met Monday, May 2nd. Melissa McManus, Community Revitalization Consultant; Amy Bonn, Finch Network LLC; and Jeremiah Ward, North Country Food Co-op were present to discuss economic development initiatives.

Ms. McManus believes that a gap exists in North Country communities for providing assistance to small business enterprises, and she believes that there are grant opportunities that currently exist that would address this deficiency.

Ms. Bonn stated that she believes that there are two roles for Clinton County to play in economic development: 1) as a Micro-Planner setting a County-wide vision and priorities; and 2) as a Catalyst or Convener by providing guidance and technical assistance, grant writing and coalition building for specific projects.

Ms. Bonn provided three programs that present opportunities to assist Clinton County in the future: 1) Local Government Efficiency Grants that focus on implementing actions towards reducing municipal expenditures; 2) Strategic Planning and Feasibility Study Project Grants through New York State Empire State Development designed to encourage economic and employment opportunities and stimulating development of distressed communities by supporting strategic development plans and feasibility studies for sites and facilities; and 3) New York State Empire State Development Grants for capital-based economic development projects intended to create or retain jobs, prevent, reduce or eliminate unemployment and increase business or economic activity in a community or region.

Mr. Ward offered two specific ideas for Clinton County: 1) development of an economic development plan for the County or region that would involve a market analysis and determination of local business needs; and 2) development of a Revolving Loan Fund to help small businesses with loans that they are unable to obtain through traditional banking institutions.

Resolutions #307 and #308 have been placed on the agenda upon the recommendation of the Committee.

Committee members have been provided with a memorandum that the previously-scheduled June, August, October and December Economic Development Ad Hoc Committee meetings will be moved from Monday to Tuesday so there is not a conflict with Personnel Committee meetings.

The next meeting is scheduled for Tuesday, June 7th at 5:15 p.m.

Finance – Legislator Dame

Legislator Dame reported the Finance Committee met Wednesday, May 4th at 5:15 p.m. Kimberly Davis, the County Treasurer, provided information on sales tax, Tobacco Settlement funding and Occupancy Tax. Ms. Davis reported there are 37 properties remaining on the foreclosure list.

Richelle Gregory, the Director of the Child Advocacy Center, was present to provide an overview of the services the Center provides.

Resolutions #309 through #314 have been placed on the agenda upon the recommendation of the Committee.

The next meeting is scheduled for Wednesday, June 1st at 5:15 p.m.

Health Committee – Legislator Beach

Legislator Beach reported the Health Committee meeting scheduled for Thursday, May 5th was cancelled. Resolutions #315 through #319 were polled and have been included on agenda the upon the recommendation of the Committee.

The next meeting is scheduled for Thursday, June 2nd at 5:15 p.m.

Legislator Beach reported he attended a meeting at the Town of Dannemora Office to discuss the salt water issue. Representatives from the New York State Department of Transportation (DOT), Regional DOT Directors and Senator Elizabeth Little’s Office and the Governor’s Office were present. He reported a timeline has been set and a cost has been determined. If the company hired to complete the project can do so under \$4.7, then groundbreaking will begin this Fall.

Human Services – Legislator Keenan

Legislator Keenan reported the Human Services Committee meeting scheduled for Wednesday, May 4th was cancelled. Resolution #320 was polled and is included on the agenda upon the recommendation of the Committee.

The next meeting is scheduled for Wednesday, June 1st following the Finance Committee meeting.

Personnel – Legislator Dyer

Legislator Dyer reported the Personnel Committee was polled on Resolutions #321 through #329 which are included on the agenda upon the recommendation of the Committee.

The next Personnel Committee meeting is scheduled for Monday, June 6th at 5:15 p.m.

Plattsburgh International Airport – Legislator Hall

Legislator Hall reported the next meeting is scheduled for Wednesday, May 25th at 5:15 p.m.

Public Safety – Legislator Beach

Legislator Beach reported the Public Safety Committee met Monday, May 9th.

Eric Day, the Director of Emergency Services, discussed the recent accident on the Northway which involved a chemical spill.

Richelle Gregory, the Director of the Child Advocacy Center, was present to discuss items involving the Child Advocacy Center.

Resolutions #332 through #339 have been placed on the agenda upon the recommendation of the Committee.

The next meeting is scheduled for Monday, June 13th at 6:15 p.m.

Transportation Committee – Legislator Timmons

Legislator Timmons reported the Transportation Committee met Monday, May 9th.

The Committee reviewed and approved Highway Resolutions #340 through #342 which are included on the agenda upon the recommendation of the Committee. These resolutions include an authorization to apply for and accept \$100,000 in grant funding for the Northern Tier Recreation Trail in Champlain, and appropriating the non-Federal share of funding for design and engineering costs for the replacement of the Lamberton Road Bridge in Mooers.

The Committee discussed at length the response by the Clinton County Public Transit (CCPT) system to the increased demand for complementary paratransit services as required under the Americans with Disabilities Act over the past few months. CCPT appears to be meeting Federal and State requirements despite the increased demand for services and condition of the bus fleet over the past few months.

The Planning Department also described several potential route changes that will likely be entertained over the next several months, including extending service to 130 Arizona Avenue in time for opening of Mental Health services which is anticipated to take place sometime in July of this year.

The next Transportation Committee is scheduled for Monday, June 13th at 5:15 p.m.

Liaison Reports

Chamber of Commerce – Legislator Rosenquest

Legislator Rosenquest reported the Plattsburgh-North Country Chamber of Commerce met Friday, May 6th. He reported the Chamber has purchased information kiosks that have been placed throughout the region.

Legislator Rosenquest reported the Adirondack Coast Cuisine Trail is an initiative between Clinton, Essex and Franklin Counties. Clinton County has two Cuisine Trails that are being developed-- the Adirondack Coast Cuisine Trail North and the Adirondack Coast Cuisine Trail Central. Legislator Rosenquest thanked the Legislature and Chairperson McManus for developing a letter of support that is required to be included in the packet that will be forwarded to New York State.

Clinton Community College – Legislators Dame and Rosenquest

Legislator Dame reported the Clinton Community College Commencement Ceremony is scheduled for Friday, May 13th at 6 p.m. All Legislators have been invited to attend.

Legislator Rosenquest reported he and Mr. Zurlo met with the Presidential Search Committee and Isaacson Miller (the search firm) at Clinton Community College (CCC) in regards to the search for a new President at CCC. He reported they are in the process of meeting with shareholders and stakeholders

throughout the County. The timeframe in hiring a new President is November, 2016. Chairperson McManus asked when the position will be advertised. Legislator Rosenquest replied the position will be advertised within one month.

Cooperative Extension – Legislator Timmons

Legislator Timmons reported Cooperative Extension will meet Tuesday, May 17th.

Grievance – Legislator Hall

Legislator Hall reported the Grievance Committee will meet on Monday, May 23rd.

Intercounty – Legislator Waldron

Legislator Waldron reported the Intercounty Legislative Committee of the Adirondacks met Thursday, April 28th in Saratoga, New York. She reported the Committee toured the Saratoga Casino and Hotel. Legislator Waldron reported the Governor’s plan on broadband revealed the focus to be on the populous, not on rural areas. Mr. Zurlo asked if there was still a private equity share involved. Legislator Waldron replied Phase 3 has not yet begun.

Workforce Development Board – Legislator Rosenquest

Legislator Rosenquest reported the Workforce Development Board is scheduled to meet Friday, May 13th.

Staff Reports

County Attorney James Coffey requested an Executive Session to discuss contracts that deal with Clinton County employees (Article 14 of the Civil Service Law), Turtle Island litigation and litigation where Clinton County is the plaintiff and the defendants are two insurance companies and Harris Beach.

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

Resolution #302 titled, “Establishing Rental Fee for Amphitheater at 130 Arizona Avenue Building – Buildings And Grounds” has been withdrawn.

Discussion: Mr. Zurlo reported it was the consensus of the Buildings and Grounds Committee to conduct more fact-finding before developing a policy. (Carried 10-0-0).

Resolutions #303 through #313 were approved.

Resolution #314 titled, “Concurring with Clinton Community College Board of Trustees’ Recommendation to Demolish the Woodlawn Cottage - Clinton Community College”

Discussion: Sheriff David Favro, the Chairperson of the Buildings and Grounds Committee at Clinton Community College (CCC), reported Woodlawn Cottage is one of the original buildings on the CCC campus but is not on the National Register of Historic Places in New York. He reported the building is in a terrible state of disrepair that will require approximately \$300,000 to \$400,000 to repair. Even if CCC were to repair the building, there is no immediate use for the building. It is an obstacle for parking and drainage issues during the construction of the Advanced Manufacturing Institute. The CCC

Board of Trustees felt it was in the best interest of CCC and the community to demolish the building while the construction companies are presently on site. Sheriff Favro reported funding from the existing construction project can be used towards removal of the building.

Legislator Hall asked the cost for the demolition of Woodlawn Cottage. Sheriff Favro replied there is not a cost because a controlled burn will be done. He reported should there be a cost associated with the demolition, New York State allows funding be utilized from the construction project.

Legislator Waldron asked if there was opposition to the demolition of Woodlawn Cottage. Sheriff Favro replied the majority of the Board of Trustees voted in favor of the demolition. Legislator Rosenquest reported there are those on the Board of Trustees who are very passionate about the history of CCC who showed opposition; however, the majority voted in favor of the demolition because it would be of greater benefit to demolish the building rather than repair the building. (Carried 10-0-0).

Resolutions #315 through #320 were approved.

Resolution #321 titled, "Approving Backfill of a Permanent, Full-Time Deputy Sheriff Position (PCN 2365) – Sheriff's Department"

Discussion: Legislator Dame reported that given the County is \$850,000 behind budgeted projections in sales tax revenue and not knowing what the remainder of the year will bring, he urged the Legislature to consider reducing some expenses that were previously budgeted for in the 2016 County budget. Legislator Dame reported the best way in which to reduce personnel is when a backfill exists and not laying off a person. He reported road patrol is not a mandated service and is redundant with the State Police. He urged the Legislature to consider backfill requests more carefully than in the past. Legislator Dame reported he does not support the resolution.

Sheriff Favro reported through the Collective Bargaining Agreement, the Sheriff's Department was allowed to hire six part-time Deputies for the Plattsburgh International Airport. He reported should the permanent, full-time Deputy Sheriff position not be backfilled, the part-time Deputies will be lost and overtime will be created. Legislator Dyer motioned the resolution be withdrawn and placed on the agenda of the Monday, June 6th Personnel Committee meeting, seconded by Legislator Dame.

Legislator Hall reported, as Chairperson of the Plattsburgh International Airport Committee, he is trying to keep security costs down; however, security is needed at the Airport.

Motion to withdraw passed 9-1-0. Legislator Hall voted no.

Resolutions #322 and #323 were approved.

Resolution #324 titled, "Approving Backfill of a Permanent, Full-Time Deputy Sheriff Position (PCN TBD) – Sheriff's Department"

Discussion: Legislator Dame motioned the resolution be withdrawn and placed on the agenda of the Monday, June 6th Personnel Committee meeting, seconded by Legislator Dyer.

Legislator Dame reported he would like to withdraw the resolution and place it on the Monday, June 6th Personnel Committee agenda for the same reason as Resolution #321.

Legislator Hall expressed his concern in having Deputies to provide ample security at the Airport.

Legislator Beach requested Sheriff Favro respond to the issues involved in the discussion. He reported the Legislature has charged Department Heads with managing their departments, and Sheriff Favro has always done a phenomenal job in managing his department and making sure his requests are appropriate.

Sheriff Favro vehemently opposed withdrawing this resolution. He reported the civil ramifications of Sheriffs' Departments throughout the State and across the country is now routine for shootings and violent altercations. He reported a tough economy exists where people are not in a right frame of mind, and stated this is not the time to cut back on public safety. In addition, Sheriff Favro reported Deputies are needed at the Clinton County Fair, field days and other summer events, not to mention providing security at the Airport. He reported other supervisors in the Sheriff's Department have been overloaded with duties due to a position not being backfilled for almost two years. Sergeant Frank Mercier will be retiring July 1, 2016 which makes the Sheriff's Department down three positions. Sheriff Favro reported not backfilling this position will create a problem with the ability to provide the level of service needed for the County.

Legislator Dame reported the Patrol Division spends a large percentage of time conducting road patrols that he believes are redundant and overlap the State Police coverage which taxpayers are entitled.

Legislator Dyer reported he has traveled the Military Turnpike, Route 22 and Route 9 at 20-25 miles per hour with a tractor numerous times. He reported he appreciates the Deputies are on the roads.

Sheriff Favro reported he has documentation from Troop B New York State Police Commander Charles Guess that shows the State Police would not be able to cover the services the Sheriff's Department is providing with the resources he has. The County loses the State Police when New York State has a major incident outside of Clinton County. A catastrophic event could occur by not having the resources of the State Police and cutting back the resources of the Sheriff's Department. Sheriff Favro asked the Legislature re-consider withdrawing the resolution.

Chairperson McManus called for a roll call vote to withdraw the resolution and place it on the Monday, June 6th Personnel Committee agenda. Mr. Zurlo explained a yes vote will place the resolution on the Personnel Committee agenda, and a no vote could allow the resolution to be acted upon.

Motion fails 9-1-0. Legislator Dame voted no.

Resolutions #325 through #329 were approved.

Resolution #330 titled, "Authorizing the Purchasing Agent to Solicit Request for Proposals (RFPs) for the Lease of Terminal Building Space for the Operation of Various Concessions – Plattsburgh International Airport"

Discussion: Mr. Zurlo reported there is ample time for the Plattsburgh International Airport Committee to decide what will be included in the Request for Proposals (RFPs) for the concessions. Rodney Brown, the Deputy County Administrator, reported the Plattsburgh International Airport Committee requested to review the RFP. A decision has not been made as to how the concessions will be administered.

Legislator Dame asked if the resolution authorizes the RFP to be written. Mr. Brown replied that Chris Kreig, the Airport Manager, will write the RFP. Mr. Zurlo reported the RFP can be written without a resolution. The resolution states when the Plattsburgh International Airport Committee approves of the RFP, the RFP can be forwarded to the Press Republican.

Resolutions #331 through #335 were approved.

Resolution #336 titled, "Authorizing Out-of-State Travel – Emergency Services"

Discussion: Legislator Dame reported the resolution will authorize an eight-day travel. He reported the County is paying for eight days of not having the service of the Senior Emergency Communications Dispatcher at Emergency Services. He feels approval of the travel should be reconsidered since the employee may not be needed at Emergency Services if he is able to be at training for eight days. Mr. Zurlo replied the backup information to the travel request reflects the training is mandatory, and the travel is 100 percent paid for by the Association of Public Safety Communications Officials (APCO). He stated if the Senior Emergency Communications Dispatcher does not attend the training, he will be unable to supervise the employees at Emergency Services. (Carried 10-0-0).

Resolutions #337 through #344 were approved.

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

Resolutions #345 through #347 were approved.

Chairperson McManus asked if there was anything further to come before the Legislature.

Legislator Dyer reported the monthly New York State Association of Counties (NYSAC) minutes showed Tompkins County passed a resolution in regards to fully reimbursing counties for District Attorney salary increases set by the State. He reported he would like to co-sponsor the resolution with New York State. Mr. Zurlo replied Resolution #277 titled, "Respectfully Requesting the State of New York to Fully Reimburse Counties for District Attorney Salary Increases Set by the State – Legislature" was approved at the April 13, 2016 Regular Session.

Chairperson McManus reported he is not comfortable with a Department Head being in the audience having to justify his position requests. He suggested the Personnel Committee meet monthly for the remainder of the calendar year so that questions can be answered and concerns can be discussed at the monthly meetings. Legislator Dyer reported he approved of the monthly Personnel Committee meetings, and he would prefer to have discussions in Committee. Chairperson McManus reported a live person is not available to answer questions when a poll is conducted. Legislator Dyer reported that when he has a question on a polled item, he has called Mr. Zurlo, Mr. Brown or the Department Head to answer his questions, and encouraged the Legislature to do the same.

Legislator Rosenquest reported discussions in Committee are very important and feels the discussions on the floor may not be appropriate and should be held in Committee.

Legislator Dame asked the process should he respond he is not in favor of a resolution included in a poll. Mr. Zurlo replied the resolution would be placed on a Regular Session agenda with an affirmative majority vote in Committee via the poll.

Mr. Brown reported there was only one Economic Development Committee meeting scheduled on a Monday for the remainder of this year. There will be one other day in which the meeting will need to be rescheduled.

Chairperson McManus reported there will be monthly Personnel Committee meetings for the remainder of the calendar year due to the economic situation in the County.

Chairperson McManus entertained a motion from Legislator Rosenquest to enter into Executive Session at 8:06 p.m., seconded by Legislator Timmons. (Carried 10-0-0).

Legislator Dame motioned to exit Executive Session and return to Regular Session at 8:54 p.m., seconded by Legislator Waldron. (Carried 10-0-0).

There being no further business, Legislator Dyer motioned to adjourn the meeting at 9:09 p.m., seconded by Legislator Waldron. (Carried 10-0-0).

Respectfully submitted,

Jeanene Bell
Senior Stenographer