

COUNTY OF CLINTON)
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STATE OF NEW YORK)

May 23, 2013

Stenographer's minutes of the Regular Session of the Clinton County Legislature held
Wednesday, May 22, 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
Robert Heins, Area 10
James Langley, Jr., Area 7, Chairperson
Pete Keenan, Area 5
Harry McManus, Area 1
Sara Rowden, Area 4

EXCUSED: John Gallagher, Area 9

ALSO PRESENT: Michael Zurlo, County Administrator
Rodney Brown, Deputy County Administrator
William Favreau, County Attorney
Katherine Brown, Senior Stenographer

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

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

Legislator Butler offered a motion to accept the minutes of the May 8, 2013 Regular Session and the May 15, 2013 Special Legislative Meeting, seconded by Legislator Dyer. (Carried 9-0-1).

Chairperson Langley asked if anyone wished to address the Legislature.

Chairperson Langley recognized Steven McLean of 11 Brannon Drive, West Chazy, New York and President of the Outback Riders All-Terrain Vehicle (ATV) Club. Mr. McLean provided the Legislature with a copy of correspondence he had received from Travel Unlimited of New York requesting support of legislation to amend the definition of an ATV. He reported 90 percent of all ATVs are over the 1,000 pound weight limit and as such are unregistered in New York State. Mr. McLean stated he was asked to share this information with the County Legislature in the hopes of gaining its interest. St. Lawrence County has passed a resolution in support of legislation to increase the weight to 1,500 pounds. Mr. McLean stated he previously met with County Administrator Michael Zurlo but would like to meet with him again to discuss this further. Mr. McLean noted that the Club is no longer a Limited Liability Company but Incorporated. The Club is also considered Non-Profit, which is beneficial for funding.

Mr. McLean stated the Club is interested in a trail system from Clinton County to Franklin County and possibly beyond. He indicated the Club and a local snowmobile club lease 16 miles of railroad bed between Dannemora and Lyon Mountain. However, the section of trail between Lyon Mountain and Standish can no longer be traveled on by ATVs or snowmobiles as a result of the New York State Department of Environmental Conservation's relocation of survey pins on this section of the trail. Legislator Beach asked what Franklin County's thoughts are regarding a connecting trail. Mr. McLean replied Franklin County is very interested, but they will run into the same issue with the section of the trail between Standish and Lyon Mountain. Mr. McLean stated if they were allowed on private property or on the County Highway for this section only, it would help. Legislator Butler suggested Mr. McLean consider approaching the landowners in the area as they might be willing to allow this. Mr. Zurlo asked Mr. McLean to schedule a meeting with him to discuss this issue further. Legislator Dame indicated the Intercounty Legislative Committee of the Adirondacks recently passed a resolution in this regard.

Chairperson Langley recognized Karen Bisso of 7 Pine Brook Drive, Morrisonville, New York. Ms. Bisso stated she is aware that Clinton County recently passed a resolution to amend and repeal the New York SAFE Act. She reported this past week, the Schoharie County Sheriff indicated he will not support the New York SAFE Act, and the Schoharie County Legislature passed a resolution stating the County will not provide additional funding to the Sheriff's Department for mandated overtime by the State.

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

Committee Reports

Buildings and Grounds Committee – Legislator Dyer

Legislator Dyer reported the next meeting of the Buildings and Grounds Committee is scheduled for Wednesday, June 12th at 5:15 p.m.

Children and Family Services Committee - Legislator Heins

Legislator Heins reported the next meeting of the Children and Family Services Committee is scheduled for Monday, June 3rd at 6:15 p.m.

County Administrator Michael Zurlo remarked John Redden's transition as the newly-appointed Commissioner of Social Services is going smoothly. Mr. Redden is in the process of hiring a Deputy Commissioner. The relationship with the agencies the Social Services Department works with continues to go quite well.

Legislator Rowden reported the Annual Foster Parent Dinner is scheduled for Thursday, May 30th at the Elk's Lodge in Plattsburgh, New York.

County Operations Committee – Legislator Dame

Legislator Dame reported the next meeting of the County Operations Committee is scheduled for Tuesday, June 4th at 6:15 p.m.

Finance Committee – Legislator Rowden

Legislator Rowden reported the next meeting of the Finance Committee is scheduled for Wednesday, June 5th at 5:15 p.m.

Health Committee – Legislator Beach

Legislator Beach reported the New York State Department of Transportation (NYSDOT) has scheduled a meeting for Tuesday, May 28th at the Dannemora Town Hall regarding the water quality issue in the Ledger's Corners' area. NYSDOT representatives will meet with local officials at 3:30 p.m. to provide an update on the alternatives to addressing the situation. A meeting is scheduled for 5 p.m. with the residents of the subject area.

Legislator Beach reported the next meeting of the Health Committee is scheduled for Thursday, June 6th at 5:15 p.m.

Human Services – Legislator Keenan

Legislator Keenan reported the next meeting of the Human Services Committee is scheduled for Tuesday, June 4th at 5:15 p.m.

Personnel Committee – Legislator Gallagher

Chairperson Langley reported Resolutions #382 through #384 are included on the agenda as a result of a poll of the Personnel Committee. The next meeting of the Personnel Committee is scheduled for Monday, June 3rd at 5:15 p.m.

Mr. Zurlo reported Legislator Gallagher continues to recuperate, but is doing well.

Plattsburgh International Airport Committee – Legislator Heins

Legislator Heins reported the Plattsburgh International Airport Committee met this evening. Resolutions #385 through #397 are included on the agenda as a result of the Committee's recommendation. The selection of a company for Fixed-Base Operator services was discussed. This item will be addressed this evening as Resolution #396. Legislator Heins reported enplanements at the end of April, 2013 was 50,000 and is higher than for the same period in 2012. He anticipates enplanements at 150,000 by the end of the year.

Public Safety Committee – Legislator Butler

Legislator Butler reported the Public Safety Committee meeting scheduled for Monday, May 13th was cancelled. Resolutions #374 through #381 are included on the agenda as a result of a poll of the Committee.

The next meeting of the Public Safety Committee is scheduled for Monday, June 10th at 6:15 p.m.

Transportation Committee – Legislator McManus

Legislator McManus reported the Transportation Committee meeting scheduled for Monday, May 13th was cancelled. Resolutions #398 through #400 are included on the agenda as a result of a poll of the Committee.

Legislator McManus reported two bridge projects pending New York State Department of Transportation approval include the True Brook Road Bridge and the Hardscrabble Road Bridge in the Town of Saranac.

Legislator McManus reported a pre-construction conference was held with Luck Brothers, Inc. on Monday, May 20th regarding the Correction of Deficiencies with the existing arch units of the Narrows Road Bridge. The contract is in the signature process, and a construction schedule will be provided in the near future.

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

Liaison Reports

Clinton Community College – Legislator Dame

Legislator Dame reported he attended Clinton Community College's graduation ceremony on Friday, May 17th. Legislators Beach, Dyer and Keenan were also in attendance.

Cooperative Extension – Legislator McManus

Legislator McManus reported he attended a meeting of the Cooperative Extension on Tuesday, May 21st. The Extension's Finance Committee is working on a three-year budget as opposed to a one-year budget. He reported 62 people attended Spring Garden Day. Alexa King, 4-H Youth and Family

Resource Educator, is working with the Wellness Committee at Peru Central School in setting up an anti-smoking campaign which will be funded through Tobacco Settlement funds.

Board of Health – Legislator Beach

Legislator Beach reported the Board of Health met Monday, May 13th. The Board discussed the Women, Infants and Children (WIC) Program, as well as the Quality Improvement Reports.

Intercounty - Legislator Dame

Legislator Dame reported the next meeting of the Intercounty Legislative Committee of the Adirondacks is scheduled for Thursday, June 20th in Hamilton County.

Soil and Water – Legislator Dyer

Legislator Dyer reported he attended a meeting of the Soil and Water Conservation District on Thursday, May 16th. He stated the Ag Plastic Balers and Hydro Seeder are being well utilized.

Staff Reports

County Attorney William Favreau requested an Executive Session to discuss pending litigation.

Mr. Zurlo requested an Executive Session to discuss the potential sale of real property.

Legislator Butler reported the Off Track Betting (OTB) Scholarship Committee met Wednesday, May 15th. Sixteen students were considered for two scholarship awards. Two local high school seniors, one enrolled at Clinton Community College and one at SUNY Plattsburgh, will each be awarded a \$500 OTB Scholarship at graduation. Scholarship winner names will be announced at graduation.

The following resolutions were approved unless otherwise noted.

Resolutions #374 through #386 were approved.

Resolution #387 titled, “Awarding Bid for Self-Propelled, Articulating Boom Lift – Plattsburgh International Airport” was offered by Legislator Heins, seconded by Legislator Dyer.

Discussion:

Legislator Heins stated this piece of equipment was always leased in the past, and purchasing the equipment will save the County money. Carried (8-0-1-1). Legislator Dame abstained.

Resolutions #388 through #390 were approved.

Resolution #391 titled, “Authorizing Various Contracts for the Rental of Equipment – Plattsburgh International Airport” was offered by Legislator Heins, seconded by Chairperson Langley. Carried (8-0-1-1). Legislator Dame abstained.

Resolutions #392 through #395 were approved.

Resolution #396 titled, "Accepting Proposal for Fixed-Base Operator Services and Authorizing Contract – Plattsburgh International Airport" was offered by Legislator Heins, seconded by Legislator Dyer.

Discussion:

Legislator Heins stated that under no circumstance is this negative to SheltAir Aviation Services. SheltAir assisted the County in hiring staff and getting staff in place to perform their necessary roles to get aviation up and running at the Plattsburgh International Airport. SheltAir performed admirably. SheltAir assisted in hiring Russ Lawliss who has performed a tremendous job and is a great asset. Legislator Heins indicated Volo Aviation is a young company, and this will be its first commercial FBO experience. Volo expressed they would be open to the possibility of hiring the present FBO staff. Legislator thanked Legislators Butler and Keenan for sitting in on both of the interviews.

Legislator Butler stated Volo's offer to keep the present FBO staff is a great thing. Further, saving \$125,000 per year for three years is a big savings to the County. Legislator Butler stated he has no problem supporting this.

Legislator Rowden stated the money proposed by Volo is within industry standards.

Mr. Zurlo stated for the record, he does not believe Mr. Lawliss has been approached by Volo Aviation for an offer of employment. Further, when asked about potential hires of existing staff during the interview, Volo expressed an interest in talking to each one of SheltAir's employees. If pass history is of any indication as to what Volo has done while moving into other airports, Volo would offer positions to the staff. Mr. Zurlo stated to his knowledge, Volo has not communicated with SheltAir employees to date.

Legislator Dame stated he agrees with his colleagues; SheltAir has provided tremendous service. He further stated our relationship has changed. The Legislature's primary responsibility is its fiduciary responsibility to the taxpayers of Clinton County. The savings to the County is the right and moral thing to do. Hopefully, the same employees will remain at the FBO. Carried (9-0-1).

Resolution #397 was approved.

Resolution #398 titled, "Authorizing the Implementation and Funding in the First Instance 100 Percent of the Federal Safe Routes to School Program-Aid Eligible Costs of a Transportation Federal-Aid Project and Appropriating Funds Therefore – Highway Department" was offered by Legislator Butler, seconded by Legislator McManus.

Discussion:

Mr. Zurlo stated this is essentially a guarantee that the Project will get funded. The County must assure that money is appropriated to cover the cost of the Project in order for the money to start flowing. Legislator Butler stated this has been a long-standing problem for the the Saranac Central School District. He further stated that the \$372,000 in Federal monies will be used to help correct this safety factor which has been an issue for many years. This is a tremendous asset to the community. Carried (9-0-1).

Resolution #399 titled, "Awarding Bids for 2013 Capital Equipment and Authorizing the County Treasurer to Transfer Necessary Funds – Highway Department" was offered by Legislator Butler, seconded by Legislator Dyer.

Discussion:

Mr. Zurlo stated this is not money that the County has to come up with. The money exists in the Highway Department's Machinery Reserve. Mr. Zurlo indicated the need for this equipment was previously discussed at budget time last year. It was decided that any action to take place would be done in 2013 so the Fund Balance would not be affected. Carried (9-0-1).

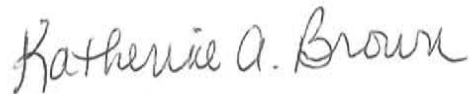
Resolutions #400 through #409 were approved.

Chairperson Langley entertained a motion from Legislator Heins to enter into Executive Session at 7:44 p.m. to discuss a litigation matter, seconded by Legislator Dyer. Carried (9-0-1).

Chairperson Langley entertained a motion from Legislator Butler to exit Executive Session and return to Regular Session at 8:14 p.m., seconded by Legislator Heins. Carried (9-0-1).

There being no further business, Chairperson Langley entertained a motion from Legislator Dyer to adjourn Regular Session at 8:15 p.m., seconded by Legislator Heins. Carried (9-0-1).

Respectfully submitted,



Katherine A. Brown
Senior Stenographer