

COUNTY OF CLINTON)
:SS
STATE OF NEW YORK)

March 23, 2023

Stenographer's minutes of the Regular Session of the Clinton County Legislature held Wednesday, March 22, 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 Hall motioned to accept the minutes of the March 8, 2023 Regular Session, seconded by Legislator Peryea. Carried (10-0-0).

Chairperson Henry asked if anyone wished to address the Legislature.

Chelsea Liberty of Dannemora, spoke out in regards to her displeasure with the Clinton County Sheriff's Department.

Geoffrey Barker of Plattsburgh, expressed his concerns with the Airport's Passenger Facility Charge Program (a copy has been attached and made part of the minutes).

There being no one else 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 met on Monday, March 13th.

James Cleveland, the Superintendent of Buildings and Grounds, was present to discuss a resolution titled, "Authorizing Contract with Door Control, Inc." and also discussed finalizing a contract with Wendel Energy Services, LLC.

Resolutions #220 and #221 have been placed on the agenda as a result of the Committee's recommendation.

The next Buildings and Grounds Committee meeting is tentatively scheduled for Monday, April 10th at 4:00 p.m.

Children and Family Services Committee – Legislator Potiker

Legislator Potiker reported the Children and Family Services Committee has not met since the last Regular Session.

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

Economic Development and County Operations Committee – Legislator Waldron

Legislator Waldron reported the Economic Development and County Operations Committee has not met since the last Regular Session.

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

Finance Committee – Legislator Timmons

Legislator Timmons reported the Finance Committee has not met since the last Regular Session.

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

Health Committee – Legislator Hughes

Legislator Hughes reported the Health Committee has not met since the last Regular Session.

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

Human Services Committee – Legislator Peryea

Legislator Peryea reported the Human Services Committee has not met since the last Regular Session.

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

Personnel Committee – Legislator Henry

Legislator Henry reported the Personnel Committee has not met since the last Regular Session.

Resolutions #222 through #235 have been placed on the agenda as a result of the Committee's recommendation from the March 6th meeting.

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

Plattsburgh International Airport Committee – Legislator Hall

Legislator Hall reported the Plattsburgh International Airport Committee meeting scheduled for today was cancelled.

Resolutions #236 through #238 have been polled and placed on the agenda upon the recommendation of the Committee.

The next Plattsburgh International Airport Committee meeting is tentatively scheduled for Wednesday, April 26th at 4:00 p.m.

Public Safety Committee – Legislator Castine

Legislator Castine reported the Public Safety Committee has not met since the last Regular Session.

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

Legislator Castine reported he asked Sheriff Favro to update the Legislature on the Northern Border Crossing issues, however, Sheriff Favro stated he would prefer to gather information and to consult with the Border Patrol regarding what information may be publically shared. Sheriff Favro will attend the next Public Safety Committee meeting on Monday, April 3rd and will provide an update. Legislator Castine has also asked Sheriff Favro to attend the next Regular Session on Wednesday, April 12th. Legislator Castine stated the influx in illegal immigrants around the northern border has created a great concern for the people living in that area and with the milder temperatures arriving these astronomical numbers will only continue to increase.

Transportation Committee – Legislator Kretser

Legislator Kretser reported the Transportation Committee meeting scheduled for Monday, March 13th was cancelled.

Resolutions #239 through #248 have been polled and placed on the agenda upon the recommendation of the Committee.

The next Transportation Committee meeting is tentatively scheduled for Monday, April 10th at 5:15 p.m.

LIAISON REPORTS

Board of Health – Legislator Potiker

Legislator Potiker reported the Board of Health met on Monday, March 20th. There was a presentation on Health Care Services conducted by Deb Tackett, the Director of Health Care Services, and five resolutions were discussed and passed. The next Board of Health meeting is scheduled for Monday, April 17th at 7:00 p.m.

Chamber of Commerce – Legislator Potiker

Legislator Potiker reported he attended the last North Country Chamber of Commerce meeting on Thursday, March 16th at 9:00 a.m. Kristy Kennedy, the Vice President of Marketing and Business Development, gave an update on Chamber efforts, as well as, the current and upcoming website changes. The next meeting is scheduled for Thursday, May 18th at 9:00 a.m.

Clinton Community College – Legislator Bezio

Legislator Bezio reported the next meeting is scheduled for Tuesday, March 28th at 5:00 p.m.

Cooperative Extension – Legislator Timmons

Legislator Timmons reported the Board met last night, Tuesday, March 21st. Mr. Timmons stated the Board has agreed to end the Ethnic Program as they have had a hard time finding people to participate in this Program. They are required to show up for a certain amount of steps for the Cooperative Extension to get paid. Since they have difficulty in getting participants to show up to all of the steps, the Cooperative Extension has actually lost money with this Program. Cooperative Extension has decided not to continue the Program this year and next year until they can renew interest.

Intercounty of the Adirondacks – Legislator Waldron

Legislator Waldron reported they will not be meeting again until the end of April in Essex County.

STAFF REPORTS

County Attorney – Jacqueline Kelleher, Esq.

Ms. Kelleher requested an Executive Session to provide an update on the sale of the Nursing Home.

County Administrator – Michael Zurlo

Mr. Zurlo also requested an Executive Session to discuss the sale and lease of real property.

Mr. Zurlo provided an update on the New York State Association of Counties (NYSAC). Mr. Zurlo stated the start of the State's fiscal year is Saturday, April 1st. Mr. Zurlo stated regarding the Enhanced Federal Medicaid Assistance Percentage (eFMAP), NYSAC is working hard to make Counties whole. If nothing changes this would create an immediate hole in Clinton County's 2023 Fiscal Year budget. Mr. Zurlo stated in regards to the 18B Indigent Defense/Assigned Council funding, it is looking positive, both houses changed the Governor's proposal in favor of providing funding. Lastly, Mr. Zurlo stated the In Rem language in the Governor's proposal could possibly be removed from the budget as it has no fiscal impact on the State of New York, although there is still a Federal Supreme Court case on this issue at the moment and it is possible the State Legislature may revise some of the language outside of the budget process at the end of their session.

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.

Resolution #220 was approved.

Resolution #221 titled, "Authorizing Contract with Wendel Energy Services, LLC for Energy Performance" was motioned by Legislator Bezio and seconded by Legislator Timmons. Carried (10-0-0).

Discussion: Mr. Zurlo stated the final project as contemplated in this resolution is in front of each legislator (a copy has been attached and made part of the minutes). It reflects everything that was decided upon during the February 27th meeting in Albany, New York. Mr. Zurlo stated it still contains the higher boiler amount. Should Wendel Energy Services, LLC be able to provide an amount for the single-caste system and the lead time allows for it to be installed for the next heating season, then that would greatly reduce the cost shown. Mr. Zurlo also mentioned the \$300,000 contingency built in, which may not be used and that savings would accrue back to the County, not the engineer. The total amount on the chart is a guaranteed maximum cost and cannot go a dollar over. There is also a \$53,000 incentive energy rebate that the County would also do if moving forward with all of these projects, as well as, a \$75,000 New York State Energy Research and Development Authority (NYSERDA) rebate. Mr. Zurlo stated the Department of Social Services Roof Project also has a 75 percent reimbursement, which would save the County \$615,000, however, it would need to be amortized and that amount would be saved over 20 years. Mr. Zurlo stated overall, the three main items that increased the cost from the original conversations held on this topic were, adding an additional roof, additional work at the Highway Department and the original estimate on the Highway Department roof was off considerably. Mr. Zurlo stated if you add all three of these items it is about \$1.5 million and if you subtract that amount from the \$4.4 million, it is right about where it was originally. Mr. Zurlo stated this will be paid for with American Rescue Plan Act (ARPA) funding which would leave \$700,000 remaining, assuming that everything was spent. Mr. Zurlo stated the County will save about \$150,000 per year in energy savings on a yearly basis.

Mr. Zurlo thanked the Legislature for their work and stated this will now allow the County to enter into a contract and allow Wendel Energy Services, LLC to finalize contracts with their subcontractors that they have been negotiating with.

Resolutions #222 through #227 were approved.

Resolution #228 titled, "Approving Change in Organizational Codes for Employment and Training Unit Employees (PCN 2402, 3204, 4089, 4125)" was motioned by Legislator Castine and seconded by Legislator Timmons. Carried (9-0-0-1).

Discussion: Legislator Kretser abstained.

Resolutions #229 through #251 were approved.

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

Resolution #252 was withdrawn.

Discussion: Mr. Zurlo stated this was the County's request to the State Legislature to approve legislation to authorize the extension for the additional one percent of sales tax. A bill was drafted and this resolution was to approve the bill as drafted, but this bill was drafted as a three-year extension and it needs to be changed to a two-year extension. A new bill will be drafted and it will be brought back to the Legislature at a later date to be passed.

Resolution #253 titled, "Authorizing Acceptance of Bipartisan Infrastructure Law (BIL) Funding through the Drinking Water State Revolving Fund" was motioned by Legislator Hughes and seconded by Legislators Potiker and Timmons. Carried (10-0-0).

Discussion: Mr. Zurlo stated the County has been working very hard on this and this is great news. This resolution also authorizes the Purchasing Agent to solicit Requests for Proposals (RFPs) for Architecture and Engineering Services. The hope is to get this project done for little to no County cost.

Legislator Hall motioned to enter into Executive Session at 5:56 p.m., seconded by Legislator Waldron. Carried (10-0-0).

Legislator Waldron motioned to exit Executive Session at 6:40 p.m., seconded by Legislator Kretser. Carried (10-0-0).

There being no further business to come before the Legislature, Legislator Hall motioned to adjourn the meeting at 6:40 p.m., seconded by Legislator Hughes. Carried (10-0-0).

Respectfully submitted,



Jennifer E. Hapgood
Senior Typist

:JH