

COUNTY OF CLINTON)  
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STATE OF NEW YORK)

May 28, 2019

Stenographer's minutes of the Regular Session of the Clinton County Legislature held  
Wednesday, May 22, 2019 in the Legislative Chambers, 137 Margaret Street, Plattsburgh, New York.

PRESENT: Simon Conroy, Area 4  
Mark Dame, Area 8  
Robert Hall, Area 10  
Mark Henry, Area 3  
Pete Keenan, Area 5  
Harry McManus, Chairperson, Area 1  
Christopher Rosenquest, Area 9  
Rob Timmons, Area 7  
Patty Waldron, Area 6

EXCUSED: Francis Peryea, Area 2

ALSO PRESENT: Michael E. Zurlo, County Administrator  
Rodney Brown, Deputy County Administrator  
Jacqueline Kelleher, 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. Legislator Peryea asked to be excused.

Legislator Hall motioned to accept the minutes of the May 8, 2019 Regular Session, seconded by Legislator Keenan. Carried (9-0-1).

Chairperson McManus stated there is a public hearing regarding the status of Grant #250HO317-17 from the New York State Housing Trust Fund Office of Community Renewal. He asked the Clerk of the Board to read the notice of public hearing. The notice was read by Mr. Zurlo.

Legislator Conroy motioned to open the public hearing at 7:01 p.m., seconded by Legislator Rosenquest. Carried (9-0-1).

Chairperson McManus asked if anyone present wished to address the Board on this issue.

Rodney Brown, the Deputy County Administrator, stated the Homeownership Grant is a Community Development Block Grant in the amount of \$400,000, obtained through the New York State Housing Trust Fund Corporation for the purpose of assisting low and moderate-income individuals and families with the costs to purchase and rehabilitate a home. He stated Clinton County contracts with the Housing Assistance Program of Essex County to administer this Grant on the County's behalf. The Grant is for a two-year period and expires December 13, 2019. Mr. Brown stated through the end of April, 2019, the amount of \$146,366.16 has been expended from this Grant to assist seven individuals. Of the houses purchased under this Grant to date, three are located in the City of Plattsburgh, and the other four are located, one each, in the Towns of Peru, Ausable, Plattsburgh and Mooers.

Legislator Dame motioned to close the public hearing at 7:05 p.m., seconded by Legislator Henry. Carried (9-0-1).

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 Committee – Mr. Zurlo**

Mr. Zurlo stated the Buildings and Grounds Committee met Monday, May 13<sup>th</sup>. James Cleveland, the Superintendent of Buildings and Grounds, discussed the 2019 Master Plan. Resolution #379 has been placed on the agenda upon the recommendation of the Committee.

The next Buildings and Grounds Committee meeting is scheduled for Monday, June 10<sup>th</sup> at 4:30 p.m.

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

Legislator Henry stated the Children and Family Services Committee has not met since the last Regular Session. The next Children and Family Services Committee meeting is scheduled for Tuesday, June 4<sup>th</sup> at 5:15 p.m.

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

Legislator Conroy stated the Economic Development and County Operations Committee has not met since the last Regular Session. However, Resolutions #380 and #381 have been placed on the agenda upon the recommendation of the Committee's meeting of May 8<sup>th</sup>.

The next Economic Development and County Operations Committee meeting is scheduled for Wednesday, June 12<sup>th</sup> at 6:00 p.m.

### **Finance Committee - Legislator Rosenquest**

Legislator Rosenquest stated the Finance Committee has not met since the last Regular Session. The next Finance Committee meeting is scheduled for Wednesday, June 5<sup>th</sup> at 6:15 p.m.

### **Health Committee - Legislator Waldron**

Legislator Waldron stated the Health Committee has not met since the last Regular Session. The next Health Committee meeting is scheduled for Tuesday, June 4<sup>th</sup> at 4:30 p.m.

### **Human Services - Legislator Keenan**

Legislator Keenan stated the Human Services Committee has not met since the last Regular Session. The next Human Services Committee meeting is scheduled for Wednesday, June 5<sup>th</sup> at 5:15 p.m.

### **Personnel Committee - Legislator Dame**

Legislator Dame stated the Personnel Committee has not met since the last Regular Session. However, Resolution #382 has been polled and placed on the agenda upon the recommendation of the Committee, as well as Resolution #417 under Waive Rule 13.2.

As a reminder, the next Personnel Committee meeting has been rescheduled from Monday, June 3<sup>rd</sup> to Tuesday, June 11<sup>th</sup> at 5:15 p.m.

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

Legislator Hall stated the Plattsburgh International Committee met earlier. Chris Kreig, the Airport Director, provided updates to the Committee on airlines, tenants and construction. Resolutions #383 through #390 have been placed on the agenda upon the recommendation of the Committee.

The next Plattsburgh International Airport Committee meeting is scheduled for Wednesday, June 26<sup>th</sup> at 5:15 p.m.

### **Public Safety Committee – Legislator Henry**

Legislator Henry stated the Public Safety Committee met Monday, May 13<sup>th</sup>. Sheriff Favro attended the meeting and briefed the Committee on several items, including the valuable services provided by Resource Officers in our local schools and active grants within the Department. Resolutions #391 through #406 have been placed on the agenda upon the recommendation of the Committee.

The next Public Safety Committee meeting is scheduled for Monday, June 10<sup>th</sup> at 6:15 p.m.

### **Transportation Committee - Legislator Timmons**

Legislator Timmons stated the Transportation Committee meeting scheduled for Monday, May 13<sup>th</sup> was cancelled. Resolutions #407 through #409 have been polled and placed on the agenda upon the recommendation of the Committee.

The next Transportation Committee meeting is scheduled for Monday, June 10<sup>th</sup> at 5:15 p.m.

### **Liaison Reports**

#### **Board of Health – Legislator Henry**

Legislator Henry stated the next Board of Health meeting is scheduled for Monday, June 17<sup>th</sup> at 7 p.m.

#### **Clinton Community College – Legislators Dame and Rosenquest**

Legislator Dame stated the Clinton Community College Commencement took place on Friday, May 17<sup>th</sup> and went well. Legislator Rosenquest stated there were a record number of Legislators in attendance. He appreciates their support of the Clinton Community College graduates.

#### **Community Services Board – Legislator Conroy**

Legislator Conroy stated the Community Services Board is scheduled to meet on Tuesday, May 28<sup>th</sup> at 4:30 p.m.

#### **Cooperative Extension – Legislator Timmons**

Legislator Timmons stated Cooperative Extension met Tuesday, May 21<sup>st</sup>. He stated finances at Cooperative Extension have leveled out. Cooperative Extension is entering into smaller contracts which will help with finances. Legislator Timmons stated Food from the Farm is doing well. He stated although numbers have decreased from last year, people are staying longer to listen to the music and checking out vendors.

#### **Discipline Review – Legislator Hall**

Legislator Hall stated a Discipline Review meeting is scheduled for Thursday, May 23<sup>rd</sup> at 9 a.m.

#### **Lake Champlain/Lake George Regional Planning Board – Legislator Keenan**

Legislator Keenan stated the next Lake Champlain/Lake George Regional Planning Board meeting is scheduled for Tuesday, July 16<sup>th</sup>.

#### **Soil and Water – Legislator Timmons**

Legislator Timmons stated the first tire recycling will take place in Keeseville on Saturday, June 1<sup>st</sup> from 9 a.m. to 12 p.m. He stated each resident is allowed 10 tires.

## Staff Reports

### County Attorney – Jacqueline Kelleher, Esq.

Jacqueline Kelleher, the County Attorney, requested an Executive Session to discuss two matters of potential litigation.

Mr. Zurlo encouraged Legislators to read the New York State Association of Counties (NYSAC) report which was emailed to each of them. He stated the report is specifically directed towards Clinton County. The report contains very valuable information in regards to Aid to Municipalities (AIM) payments to the County, as well as sales tax receipts and how that may impact the County in year one of the intercept.

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

Resolution #378 titled, “Opposing New York State Senate Bill 2837 and Assembly Bill 2750 - Legislature” was moved by Legislator Henry and seconded by Legislator Dame.

Discussion: Legislator Henry thanked the Legislature for their support on the Bill. He stated this is very important for farmers across New York State. North Country farmers are dependent on seasonal workers who are here for a short period of time. Legislator Henry stated Clinton County’s farmers are very respectful and appreciative of all of their employees. He stated family farming is on the decline. The Bill will make farming less competitive.

Legislator Dame commended Legislator Henry on bringing the issue to the attention of the Legislature. He stated if the Bill passes, it will kill agriculture in New York State which is a prime economic driver. He would like to invite the Legislature in Albany who are against the Bill to the North Country to see what farming is all about.

Chairperson McManus stated he is unsure if the Legislature in Albany has thought about the impact of the Bill in three years or five years in terms of the family farm. He stated there has to be more work done on this.

Mr. Zurlo stated NYSAC staff has indicated the Bill has a 50/50 chance of being approved. Carried (9-0-1).

Resolutions #379 was approved.

Resolution #380 titled, “Authorizing the Clerk of the Clinton County Legislature to Advertise for a Public Hearing on Local Law #1 of 2019 titled, “A Local Law to Establish a Sustainable Energy Loan Program (Open C-PACE) in the County of Clinton” – Legislature was moved by Legislator McManus and seconded by Legislators Rosenquest and Waldron.

Discussion: Legislator Rosenquest stated the Adirondack North Country Association (ANCA) presented this opportunity to the County some time ago. At that time, it would have saddled the tax payers of Clinton County to back funding and unpaid bills by individuals and organizations. That model has shifted, and the County no longer is obligated to guarantee loan repayments under the program. We are moving industry more into a green economy. Carried (9-0-1).

Resolutions #381 through #389 were approved.

Resolution #390 titled, "Authorizing User Fee Facility (UFF) Program Memorandum of Agreement – Plattsburgh International Airport" was moved by Legislator Hall and seconded by Legislator Waldron.

Discussion: Legislator Henry asked if the three Customs Officers are down at the facility and if the Airport is closed for one week due to paving, do we pay for that week. Mr. Zurlo replied in the affirmative, that we are on the books for three bodies for one year regardless of their presence at the facility to conduct clearing business. It is the County's obligation. Carried (9-0-1).

Resolutions #391 through #401 were approved.

Resolution #402 titled, "Authorizing 2018-2019 Public Safety Answering Points (PSAP) Operations Grant Acceptance - Emergency Services" was moved by Legislator Henry and seconded by Legislator Conroy.

Discussion: Mr. Zurlo stated this is funding the County has been fortunate to receive for the last several years, and it is used to offset the Emergency Services' budget. He stated the revenue has been accounted for in the budget. Carried (9-0-1).

Resolutions #403 through #405 were approved.

Resolution #406 titled, "Authorizing 2018 Statewide Interoperability Communications Formula-Based Grant Acceptance – Emergency Services" was moved by Legislator Henry and seconded by Legislator Hall.

Discussion: Mr. Zurlo stated this is funding the County has been fortunate to receive. He stated this is funding the County pays for debt service associated with the new radio system. The radio system, in theory, is not costing the County any money. Mr. Zurlo stated this number exceeds the lease amount by \$100,000 which will provide additional money for normal operations at Emergency Services. Carried (9-0-1).

Resolutions #407 through #411 were approved.

Resolution #412 titled, "Authorizing the County Treasurer to Increase Appropriation and Corresponding Revenue for the Plattsburgh International Airport Operations Budget – Plattsburgh International Airport" was moved by Legislator Rosenquest and seconded by Legislator Hall.

Discussion: Legislator Hall requested an explanation to the resolution. Mr. Zurlo replied the resolution refers to a County vehicle involved in a minor accident at the Airport. Mr. Brown stated it is money received from the insurance company. Carried (9-0-1).

Resolutions #413 and #414 were approved.

Resolution #415 titled, "Appointing the County Administrator as the Pilot Mortgage Agent in Certain Instances" was moved by a vote of 5/4.

Discussion: Mr. Zurlo stated the Industrial Development Agency (IDA) has asked the County to be a Payment in Lieu of Taxes (PILOT) Mortgage Agent or the enforcing agency on large projects that the IDA benefits. He stated the Pilot Mortgage Agent needs to ensure all PILOT payments are made to all taxing jurisdictions, of which the County is one. Since the County is first in position, the financier of

the project is likely going to pay the PILOT payment. Mr. Zurlo stated this ensures the IDA receives its PILOT payments and disburses them to municipalities. It holds the mortgagee accountable. This was previously done by The Development Corporation (TDC). Upon the complete split of the IDA from TDC, this had yet to be assumed. Carried (9-0-1).

Resolution #416 was approved.

Legislator Rosenquest motioned to Waive Rule 13.2, seconded by Legislator Timmons. Carried (9-0-1).

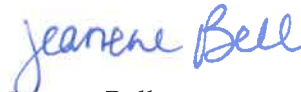
Resolutions #417 through #419 were approved.

Legislator Rosenquest motioned to enter into Executive Session at 7:33 p.m., seconded by Legislator Henry. Carried (9-0-1).

Legislator Hall motioned to exit Executive Session at 7:49 p.m., seconded by Legislator Rosenquest. Carried (9-0-1).

There being no further business to come before the Legislature, Legislator Hall motioned to adjourn the meeting at 7:50 p.m., seconded by Legislator Rosenquest. Carried (9-0-1).

Respectfully submitted,



Jeanene Bell  
Senior Stenographer

/jb