

COUNTY OF CLINTON)
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STATE OF NEW YORK)

April 23, 2020

Stenographer's minutes of the Regular Session of the Clinton County Legislature held
Wednesday, April 22, 2020 via teleconference, Clinton County, New York.

PRESENT: Mark Henry, Chairperson, Area 3
Simon Conroy, Area 4
Calvin Castine, Area 1
Robert Hall, Area 10
Francis Peryea, Area 2
Richard Potiker, Area 5
Christopher Rosenquest, Area 9
Rob Timmons, Area 7
Patty Waldron, Area 6

VACANT: Area 8

ALSO PRESENT: Michael E. Zurlo, County Administrator
Rodney Brown, Deputy County Administrator
Jacqueline Kelleher, Esq., County Attorney
Kim Kinblom, Personnel Director
John Kanoza, Director of Public Health

The meeting was held remotely via teleconference in accordance with Governor Cuomo's Executive Order 202.1 due to the COVID-19 Pandemic, and the public has the opportunity to attend the meeting via an audio link.

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

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

Legislator Castine motioned to accept the minutes of the April 8, 2020 Regular Session, seconded by Legislator Hall. Carried (9-0-0) Vacancy – Area 8.

Chairperson Henry, on behalf of the Legislature, proclaimed the week of May 3-9, 2020 as "Correctional Officers and Correctional Employees Week." He read a portion of the proclamation which included "the Clinton County Legislature wishes to acknowledge the difficult job the County asks of these officers and employees to perform, locked inside a facility for a large part of their day, where they must securely, safely and humanely keep those committed to the jail, respecting the rights and dignity of all the inmates, including those who have been found guilty and those only awaiting adjudication and be it resolved, the Clinton County Legislature hereby proclaims the week of May 3-9, 2020 as "Correctional Officers and Correctional Employees Week" in Clinton County, and does offer those good public servants gratitude for their conscientious service for the People of Clinton County.

The meeting format did not include public comment. Members of the public were asked to express their concerns/comments by emailing: legislature@clintoncountygov.com.

Committee Reports

Buildings and Grounds Committee – Legislator Peryea

Legislator Peryea reported the Buildings and Grounds Committee has not met since the last Regular Session. Essential staff remains on-site to keep buildings clean and disinfectant spray continues to be delivered to all Departments. Standing committee meetings have been cancelled until further notice. Legislator Peryea will report to the board as necessary.

Children and Family Services Committee - Legislator Potiker

Legislator Potiker stated the Children and Family Services Committee has not met since the last Regular Session. The Department of Social Services' employees continue to process Supplemental Nutrition Assistance Program (SNAP) and public assistance Medicaid and Home Energy Assistance Program (HEAP) benefits, and Child and Adult Protective Services are still operating. Staff has also been assisting the Clinton County Health Department on activities associated with the quarantine of Senior Housing residents. Standing committee meetings have been cancelled until further notice. Legislator Potiker will report to the board as necessary.

Economic Development and County Operations Committee - Legislator Rosenquest

Legislator Rosenquest stated the Economic Development and County Operations Committee has not met since the last Regular Session. Resolution #273 formally establishes the Capital Project at the former Clinton County Airport. Legislator Rosenquest reported in regards to the Main Mill Dam, he has

been in communication with interested parties who wish to present when standing committee meetings resume. He is also compiling information regarding the protection of landlords and tenants from foreclosure, and will report through his Committee to the Board upon the completion of his findings. Standing committee meetings have been cancelled until further notice. Legislator Rosenquest will report to the board as necessary.

Finance Committee - Legislator Timmons

Legislator Timmons stated the Finance Committee has not met since the last Regular Session. He stated the County faces some economic fiscal challenges ahead. We will convene as appropriate to address this situation. Resolutions #254 through #256, and Resolution #276, under Waive Rule 13.2, have been polled and placed on the agenda upon the recommendation of the Committee. Standing committee meetings have been cancelled until further notice.

Health Committee - Legislator Waldron

Legislator Waldron stated the Health Committee has not met since the last Regular Session. Resolution #257 and Resolution #277, under Waive Rule 13.2, have been polled and placed on the agenda upon the recommendation of the Committee. Standing committee meetings have been cancelled until further notice.

John Kanoza, the Director of Public Health, provided an update on the most recent COVID-19 cases in Clinton County. There are 56 lab-confirmed cases (42 individuals have recovered), 544 tests have been completed and there has been a total of four deaths. He reminded individuals to remain true to the established guidelines previously detailed by the Clinton County Health Department (CCHD) and to not let your guard down. He noted true to Governor Andrew Cuomo's re-opening up date of May 15th, the campgrounds are scheduled to open May 1st with the added guidance to maintain social distance guidelines. Additionally, he reported the CCHD is waiting on guidance from New York State on the re-opening of restaurants on May 15th and stated golf courses and marinas have re-opened with some caveats.

Mr. Kanoza reported the New York State also conducted a random COVID-19 antibody testing at the Market 32 grocery store in Plattsburgh. One hundred people were tested at random and will be notified of the results.

Human Services Committee - Legislator Conroy

Legislator Conroy stated the Human Services Committee has not met since the last Regular Session. Standing committee meetings have been cancelled until further notice. Legislator Conroy will report to the board as necessary.

Personnel Committee - Legislator Henry

Chairperson Henry reported the Personnel Committee has not met since the last Regular Session. Standing committee meetings have been cancelled until further notice.

Plattsburgh International Airport Committee - Legislator Hall

Legislator Hall stated the Plattsburgh International Airport Committee has not met since the last Regular Session. Resolutions #258 through #264 have been polled and placed on the agenda upon the recommendation of the Committee. Standing committee meetings have been cancelled until further notice.

Public Safety Committee - Legislator Castine

Legislator Castine stated the Public Safety Committee has not met since the last Regular Session. Resolutions #265 through #268 have been polled and placed on the agenda upon the recommendation of the Committee. Standing committee meetings have been cancelled until further notice. Legislator Castine will report to the board as necessary.

Transportation Committee - Legislator Timmons

Legislator Timmons stated as Chairperson Henry has appointed him Acting Chair of the Transportation Committee, he will give the report.

The Transportation Committee has not met since the last Regular Session. Resolutions #269 through #272 have been polled and placed on the agenda upon the recommendation of the Committee. Standing committee meetings have been cancelled until further notice.

Liaison Reports

Clinton Community College – Legislator Rosenquest

Mr. Zurlo stated Clinton Community College was allocated \$760,00 from the Coronavirus Aid Relief and Economic Security (CARES) Act to provide assistance to students only and can't be utilized for institutional downfalls.

Lake Champlain/Lake George Regional Planning Board – Legislator Waldron

Legislator Waldron stated the Lake Champlain/Lake George Regional Planning Board met Tuesday, April 21st, via teleconference and passed resolutions helping small businesses in the process of deferring loan payments from their current borrowers.

Soil and Water – Legislator Timmons

Legislator Timmons stated a teleconference meeting was held on Thursday, April 16th to handle regular business matters.

Staff Reports

County Attorney – Jacqueline Kelleher, Esq.

Jacqueline Kelleher, the County Attorney, requested an Executive Session to discuss a potential Memorandum of Agreement with the Civil Services Employees Association (CSEA) General Unit and a furlough policy.

County Administrator – Michael Zurlo

Mr. Zurlo stated the Office of Emergency Services (OES) received over 20,000 cloth masks (following the Executive Order of Governor Andrew Cuomo) that masks be available to the public sector and the OES has disseminated a portion of the masks to the United Way, to all Senior Housing residents and through the Incidence Command System, Michael Cashman, the Town of Plattsburgh Supervisor, was apprised and encouraged to dispel the news to the town and villages in his Township, that masks are available.

Mr. Zurlo stated New York State Association of Counties (NYSAC) is now estimating a greater decrease in sales tax than originally projected; what was once believed to be a 12 percent decrease could possibly now rise to 15 percent.

Mr. Zurlo stated recipients of municipal governments will need assistance from the Federal government to recover from the current economic situation. NYSAC and the National Association of Counties (NAC) has been lobbying through New York State delegation (Senator Kirsten Gillibrand, Senator Charles Schumer and Congresswoman Elise Stefanik) attempting to receive direct aid to state and local governments with what is being called the Stimulus III.V Bill, which passed in the Senate on Tuesday, and is on the ballot in the House of Representatives on Thursday, April 23rd. Initially the County was included in the Bill but at the last minute was cut.

Mr. Zurlo reported, on a positive note, there is a possibility that a Stimulus IV Bill will be available which would include direct aid for state and local governments.

Additionally, he reported President Donald Trump indicated that the Federal government will reimburse at 100 percent of the Federal Emergency Management Assistance (FEMA) reimbursement, as opposed to the original reimbursement of 75 percent.

Rodney Brown, the Deputy County Administrator, stated the County was awarded a \$400,000 for homeownership grant for first-time buyers. This is the ninth award since 2000. He reported with the COVID-19 pandemic, the County has been given permission to repurpose the funds for temporary rental assistance under specific criteria. He inquired if the Board wanted to repurpose the grant funds for temporary rental assistance or utilize them for the original grant purpose of first-time home owners. The Legislature approved to allow Mr. Brown to proceed with the opportunity of repurposing the grant.

Chairperson Henry began a discussion on filling the Area 8 vacancy created by the resignation of Legislator Mark Dame.

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

Resolution #254 titled, "Resolution Calling on the State of New York to Release Enhanced Federal Medicaid Matching Funds to Counties and New York City – Legislature" was moved by Legislator Timmons and seconded by Legislator Hall.

Discussion: Mr. Zurlo stated with the recent adoption of federal legislation, the amount of funds that are allocated to State governments to assist with Medicaid was reduced. The enhanced federal medical assistance percentage (FMAP) was increased on the Federal level, thereby, reducing the weekly share owed to New York State by the County. Additionally, he stated that the direct reduction that was proposed to start January 1, 2020 has not yet commenced. It is important to note that these are estimated weekly payments from the County which are reconciled at the end of the year and the State has two years' of reconciliation payments owed to Clinton County but have not been released yet. Mr. Zurlo reported this resolution is asking for both the FMAP reductions to occur and the release of the two years' worth of reconciliation payments. Carried (9-0-0) Vacancy Area 8.

Resolution #255 was approved.

Resolution #256 titled, "Accepting Sealed Bids Received and Authorizing the Issuance of Deeds – Treasurer's Office" was moved by Legislator Timmons and seconded by Legislator Waldron.

Discussion: Mr. Zurlo stated there was an inquiry in regards to the two properties sold in Dannemora. Jacqueline Kelleher, the County Attorney, confirmed that the requirement for the bid was reviewed and deemed legally appropriate. Carried (9-0-0) Vacancy Area 8.

Resolution #257 was approved.

Resolution #258 titled, "Authorizing Change Order #1 and Final for Snow Removal Equipment – Plattsburgh International Airport" was moved by Legislator Hall and seconded by Legislator Peryea. Carried (9-0-0) Vacancy Area 8.

Discussion: Mr. Zurlo stated that with the Board's direction, a memo was sent to all departments encouraging fiscal constraint. Under normal circumstances, this purchase would have not be approved but the exceptions are that this piece of equipment will save the County money (by utilizing one vehicle as opposed to two) and that the Federal Aviation Administration (FAA) will be assuming 90 percent of the cost.

Resolutions #259 and #260 were approved.

Resolution #261 titled "Authorizing Contract Extension with Eagle Aviation Services, LLC – Plattsburgh International Airport" was moved by Legislator Hall and seconded by Legislator Potiker. Carried (9-0-0) Vacancy Area 8.

Discussion: Legislator Rosenquest inquired on a previous issue with this contract. Mr. Zurlo replied Executive Session was not needed to discuss the resolution but an Executive Session was required to get advice of Counsel on the contract. Legislator Rosenquest moved to lay the resolution aside until later in the meeting, and was seconded by Legislator Hall.

Resolution #262 was approved.

Resolution #263 titled "Authorizing Coronavirus Aid Relief and Economic Security (CARES) Act Airport Grant Application and Acceptance – Plattsburgh International Airport" was moved by Legislator Hall, and seconded by Legislator Waldron. Carried (9-0-0) Vacancy Area 8.

Discussion: Mr. Zurlo stated as previously stated, there was an appropriation outlined in Stimulus III, which is the CARES Act, for the infrastructure at airports. The Plattsburgh International Airport was a recipient and has received in excess of \$2 million.

Resolutions #264 through #274 were approved.

Resolution #275 was withdrawn.

Legislator Hall motioned to Waive Rule 13.2, seconded by Legislator Timmons. Carried (9-0-0) Vacancy Area 8.

Resolutions #276 and #277 were approved.

Legislator Peryea motioned to enter into Executive Session at 6:22 p.m., seconded by Legislator Castine. Carried (9-0-0) Vacancy – Area 8.

Legislator Hall motioned to exit Executive Session at 7:01 p.m., seconded by Legislator Rosenquest. Carried (9-0-0) Vacancy – Area 8.

Resolutions #261, #278 and #279 were approved.

Chairperson Henry provided a summary of the salient points of the Local Law #5 of 1995, governing filling a vacancy, whether by appointment or special election. Chairperson Henry also described the time constraints involved in the caucus process, and the latest date by which a special election must be held by the Local Law, which is July 7, 2020. He noted the timeframe is very constrained for candidates to campaign.

The Legislators discussed the merits of an appointment versus a special election that includes time and cost.

Chairperson Henry indicated that a special meeting would be necessary if the Legislature desires to appoint an individual rather than hold a special election because a decision, based on the terms of Local Law #5, is required prior to the next regularly-scheduled legislative meeting.

There being no further business to come before the Legislature, Legislator Timmons motioned to adjourn the meeting at 7:39 p.m., seconded by Legislator Hall. Carried (9-0-0) Vacancy Area 8.

Respectfully submitted,



Toni Moffat
Executive Secretary to the County Administrator

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