

COUNTY OF CLINTON)  
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STATE OF NEW YORK)

February 13, 2017

Stenographer's minutes of the Regular Session of the Clinton County Legislature held  
Wednesday, February 8, 2017 in the Legislative Chambers, 137 Margaret Street, Plattsburgh, New York.

PRESENT: Jonathan Beach, Area 2  
Simon Conroy, Area 4  
Mark Dame, Area 8  
Samuel Dyer, Area 3  
Robert Hall, Area 10  
Pete Keenan, Area 5  
Harry McManus, Chairperson, Area 1  
Christopher Rosenquest, Area 9  
Rob Timmons, Area 7  
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 7:02 p.m.

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

Legislator Hall motioned to accept the minutes of the January 25, 2017 Regular Session, seconded by Legislator Keenan. Carried (10-0-0).

Kimberly Davis, the County Treasurer, reviewed the results of the 2016 auction. She reported the judge will sign the order on or around Wednesday, March 8<sup>th</sup>, and the 45-day period from that date will be approximately Saturday, April 22, 2017. On or about April 22<sup>nd</sup>, the County will own the properties (there are no more extensions or payment plans available). Ms. Davis reported the years 2015 and 2016 taxes have to be paid; the year 2017 does not have to be paid. Taxes do need to be paid in guaranteed funds (cash, bank check or credit card). The owner of the credit card has to be present when paying by credit card. Ms. Davis reported there were three commercial properties, 64 vacant properties and 54 residential properties in 2015; there are eight commercial properties, 46 vacant properties and 56 residential properties in 2016.

Legislator Dame reported, historically, property owners have been given two years in which to pay back taxes. He asked if the two-year period is a New York State Real Property Tax Law or an internal policy. Ms. Davis replied other counties do not yet have their abstracts completed, and she believes it is a local law. She reported if property owners cannot pay taxes for two-year period, then they will be unable to pay taxes for a four-year period. The County pays the towns and school districts back, which is the reason for the two-year period. Clinton County requires the earlier years be paid first (not the more recent years) so property owners can remain out of the foreclosure process longer.

Legislator Dame asked how this benefits the property owner. Ms. Davis replied property owners can remain out of the foreclosure process longer.

Legislator Hall asked Legislator Dame if he feels the time period should be longer. Legislator Dame replied no, although having to pay for back taxes for two years all at once may be a burden to the distressed taxpayer. Ms. Davis reported property owners had until January, 2017 to pay for the year 2015.

Legislator Dame reported he is in the process of compiling proposals to alter the foreclosure policies to bring to the full Legislature. Ms. Davis reported installment payments are offered, and payment for 2015 and 2016 could have been extended for another two-year period had the property owners paid by September, 2016.

Legislator Waldron asked if it is a local law that partial payment for overdue taxes cannot be accepted. Ms. Davis replied it is a New York State Law.

Legislator Hall asked Ms. Davis to provide the Legislature information on when the local law was changed from a four-year period to a two-year period and the number of names that were on the list when the policy was for a four-year period. Chairperson McManus asked Ms. Davis to provide the counties that allow a one-year payment until the time the judge adjudicates the property.

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

### **Committee Reports**

#### **Buildings and Grounds – Legislator Timmons**

Legislator Timmons reported the Buildings and Grounds Committee met earlier. James Cleveland, the Superintendent of Buildings and Grounds, discussed the 2017 Master Plan and updated the Committee on Master Plan Projects. Resolution #52 and Resolutions #112 and #113 have been placed on the agenda upon the recommendation of the Committee.

The next Buildings and Grounds Committee meeting is scheduled for Wednesday, March 8<sup>th</sup> at 5:15 p.m.

#### **Children and Family Services – Legislator Waldron**

Legislator Waldron reported the Children and Family Services Committee met Tuesday, February 7<sup>th</sup>. John Redden, the Commissioner of Social Services, discussed the Affordable Care Act, the Governor's proposed budget, substance abuse prevention and recovery in Clinton County, Safe Harbour and Raise the Age. He provided monthly statistics for December, 2016. Resolutions #53 and #54 have been placed on the agenda upon the recommendation of the Committee.

The next Children and Family Services Committee meeting is scheduled for Tuesday, March 7<sup>th</sup> at 6:15 p.m.

Mr. Zurlo reported the Affordable Care Act will cost the County \$1.4 million if it is repealed without a replacement. The County's Medicaid bill (although it exceeds \$16.5 million) has slightly decreased due to the provision of the enhanced Medicaid assistance percentage. Mr. Zurlo reported New York State was one of the states who opted in providing an enhanced benefit in turn for more federal money. There were 32 states who opted to do this, and that would have to be part of the repeal for it to affect the County.

#### **Economic Development and County Operations – Legislator Rosenquest**

Legislator Rosenquest reported the Economic Development and County Operations Committee met Monday, February 6<sup>th</sup>. The Director of Real Property discussed restructuring the Real Property Office due to the Town of Chazy's request for full assessing services. Resolutions #55, #57 and #58 have been placed on the agenda upon the recommendation of the Committee.

Legislator Rosenquest reported the Committee also met earlier today and discussed the telecommunications upgrade at the Nursing Home. Resolution #56 has been placed on the agenda upon the recommendation of the Committee. The Commissioners of the Board of Elections discussed the final 2016 chargeback figures to the towns and the city. They discussed the amendments made to the Clinton County/Election Consolidation and Improvement Act of 2005 Chargeback Policy. Resolutions #59 and #60 have been placed on the agenda upon the recommendation of the Committee.

Melissa McManus, the Director of Economic Development, updated the Committee on economic development in our area. She discussed a report from the New York State Economic Development Corporation's January conference. Resolution #61 has been placed on the agenda upon the recommendation of the Committee.

The next Economic Development and County Operations Committee meeting is scheduled for Wednesday, March 8<sup>th</sup> at 6 p.m.

### **Finance – Legislator Dame**

Legislator Dame reported the Finance Committee met Wednesday, February 1<sup>st</sup>. Kimberly Davis, the County Treasurer, discussed 2016 sales tax distribution and total sales tax comparison from 2011 through 2016. She reviewed the 2016 and January, 2017 sales tax graphs and the 2016 occupancy tax and the foreclosure process. There was discussion on distribution to school districts for the State land payments and the refunding bond resolution.

Resolutions #62 through #66 have been placed on the agenda upon the recommendation of the Committee.

Legislator Dame reminded the Legislature that applications for Tobacco Settlement Funding will be due to the Legislative Office by Wednesday, March 29<sup>th</sup> to be included in the Wednesday, April 5<sup>th</sup> Finance Agenda.

The next Finance Committee meeting is scheduled for Wednesday, March 1<sup>st</sup> at 5:15 p.m.

### **Health – Legislator Beach**

Legislator Beach reported the Health Committee met Tuesday, February 7<sup>th</sup>. Stacey Beebie, the Interim Director of Mental Health and Addiction Services, reviewed Resolutions #67 through #69 which have been placed on the agenda upon the recommendation of the Committee.

Jerie Reid, the Director of Public Health, discussed the Quarterly Grant Report and the Director's Reports for November and December, 2016. She discussed Tobacco over 21 and the Natural Experiments of Policy and Built Environment Impact on Diabetes Risk. Resolutions #70 through #76 have been placed on the agenda upon the recommendation of the Committee.

The next Health Committee meeting is scheduled for Tuesday, March 7<sup>th</sup> at 5:15 p.m.

### **Human Services – Legislator Keenan**

Legislator Keenan reported the Human Services Committee met Wednesday, February 1<sup>st</sup>. Steve Bowman, the Director of the Veterans' Service Agency, discussed December, 2016 monthly statistics, New York State Veterans' laws, VA healthcare issues and VA claims issues. Resolution #77 has been placed on the agenda upon the recommendation of the Committee.

Darleen Collins, Administrative Assistant at the Office for the Aging, discussed Resolutions #78 through #81. Wendie Bishop, the Nursing Home Administrator, discussed Resolutions #82 through #87. These resolutions have been placed on the agenda upon the recommendation of the Committee.

The next Human Services Committee meeting is scheduled for Wednesday, March 1<sup>st</sup> at 6:15 p.m.

### **Personnel – Legislator Dyer**

Legislator Dyer reported the Personnel Committee met Monday, February 6<sup>th</sup>. There were 22 items reviewed, and there are 22 resolutions included on the agenda upon the recommendation of the Committee.

### **Plattsburgh International Airport – Legislator Hall**

Legislator Hall reported he would like to withdraw Resolution #110 which was included on the agenda. He reported he agrees with the agreement with McFarland-Johnson, Inc., but does not yet want to release payment for drainage work at this time. He wants to be sure the drainage system works properly.

Legislator Dame asked if the County has recourse if the resolution is approved and the drainage not work properly. James Coffey, the County Attorney, stated a release will release the payment.

The next Plattsburgh International Airport Committee meeting is scheduled for Wednesday, February 22<sup>nd</sup> at 5:15 p.m.

### **Public Safety – Legislator Conroy**

Legislator Conroy reported he met with Sheriff Dave Favro to discuss income and expenses for the year 2016 at the Clinton County Jail. The next Public Safety Committee meeting is scheduled for Monday, February 13<sup>th</sup> at 6:15 p.m.

### **Transportation Committee – Legislator Timmons**

Legislator Timmons reported the next Transportation Committee meeting is scheduled for Monday, February 13<sup>th</sup> at 5:15 p.m.

## **Liaison Reports**

### **Board of Health – Legislator Beach**

Legislator Beach reported the Board of Health is scheduled to meet Monday, February 13<sup>th</sup>.

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

Legislator Conroy reported a conference call took place with the Community Services Board to discuss the candidate to be chosen as Director of the Community Services. He reported there will be further discussion with the Legislature on this issue.

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

Legislator Timmons reported Cooperative Extension is scheduled to meet Wednesday, February 15<sup>th</sup>.

## **InterCounty – Legislator Waldron**

Legislator Waldron reported the InterCounty Legislative Committee met Thursday, January 26<sup>th</sup> in Essex County. She reported the Executive Director of Adirondack Action in Saranac Lake provided information on the effects of road salt in the Adirondacks and studies on watersheds for those affected.

Legislator Waldron reported the InterCounty Legislative Committee met on Wednesday, February 1<sup>st</sup> at New York State Association of Counties (NYSAC) in Albany, New York. She reported the Clinton County resolution was approved in regards to Emergency Medical Technician (EMT) CC level certification of Emergency Services not to be phased out.

### **Staff Reports**

County Attorney James Coffey requested an Executive Session to discuss the employment history of a particular individual.

Mr. Zurlo reported the position of Director of Community Services will also be discussed in Executive Session.

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

Resolutions #52 through #58 were approved.

Resolution #59 titled, “Amending the Clinton County/Election Consolidation and Improvement Act of 2005 Chargeback Policy – Board of Elections”

Discussion: Legislator Dyer asked if the figures have been given to the towns. Mr. Zurlo replied yes, and the figures have been included in the chargeback budget. He reported both Commissioners in the Board of Elections have indicated this information has been communicated to the towns. Legislator Dyer asked about the increase in the chargebacks (the actual amounts compared to last year’s estimates). Mr. Zurlo replied that was a discussion item in the Economic Development and County Operations Committee meeting which does not result in a resolution needing to be approved. Mr. Zurlo reported the Chargeback Policy states that the towns pay for the expenses. The towns were told to put the figures included in Resolution #59 in their 2017 budgets. Mr. Zurlo reported when the Help America Vote Act (HAVA) was passed, all townships prior to HAVA paid 100 percent of their elections. After HAVA was approved, County governments then had the option to assume 100 percent of the costs or continue the townships paying the costs of the elections. School districts should not gain a benefit from the towns; they will pay chargebacks reducing the towns. Carried (10-0-0).

Resolutions #60 through #65 were approved.

Resolution #66 titled, “Refunding Bond Resolution dated January 25, 2017, “A Resolution Authorizing the Issuance Pursuant to Section 90.00 or Section 90.10 of the Local Finance Law of Refunding Bonds of the County of Clinton, New York, to be Designated Substantially “Public Improvement Refunding (Serial) Bonds” and Providing for Other Matters in Relation Thereto and the Payment of the Bonds to be Refunded Thereby”

Discussion: Mr. Zurlo reported the word “refunding” included in this resolution means “refinancing.” Carried (10-0-0).

Resolutions #67 through #96 were approved.

Resolution #97 titled, “Approving Backfill of a Permanent, Full-Time MEO III Position (PCN 3157) – Highway Department”

Discussion: Mr. Zurlo reported the resolutions to backfill the MEO positions reflect the retirement of one individual. He reported one position backfills the other positions. Carried (10-0-0).

Resolutions #98 through #103 were approved.

Resolution #104 titled, “Approving Creation of a Permanent, Full Time Real Property Information Analyst Position (PCN TBD) – Real Property”

Discussion: Legislator Rosenquest voted no. Carried (9-1-0).

Resolutions #105 through #109 were approved.

Resolution #110 titled, “Authorizing Settlement Agreement with McFarland-Johnson, Inc. – Plattsburgh International Airport”

Legislator Hall motioned to withdraw the resolution, seconded by Legislator Dame. Carried (10-0-0).

Resolution #111 was approved.

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

Resolution #112 titled, “Authorizing the Purchasing Agent to Solicit Bids for the Purchase of a One-Ton, Single Axle, Regular Cab, Heavy Duty Four-Wheel Drive Pickup Truck – Buildings and Grounds”

Discussion: Mr. Zurlo reported this equipment was approved in the Buildings and Grounds 2017 budget and could be purchased from State contract. However, going out to bid affords local vendors an opportunity to submit a cost (hopefully under State contract cost). Carried (10-0-0).

Resolutions #113 titled, “Authorizing Contract Amendment with Schindler Elevator Corporation - Buildings and Grounds”

Discussion: Legislator Dame inquired about the increase in the monthly rate for elevator service. Mr. Zurlo noted the contract is for a four-year term. Legislator Dame requested information on the number of elevators owned by Clinton County and the costs involved. Carried (10-0-0).

Resolution #114 titled, “Authorizing the County Treasurer to Increase Appropriation and Corresponding Revenue for the Chargeback Budget – Board of Elections”

Discussion: Mr. Zurlo reported the resolution will authorize the County to charge the school districts to offset the costs of the townships. Carried (10-0-0).

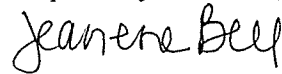
Chairperson McManus asked if there was anything further to come before the Legislature.

Chairperson McManus entertained a motion from Legislator Hall to enter into Executive Session at 8:01 p.m. to discuss the above-mentioned issues, seconded by Legislator Rosenquest. Carried (10-0-0).

Legislator Dame motioned to exit Executive Session and return to Regular Session at 8:23 p.m., seconded by Legislator Hall. Carried (10-0-0).

There being no further business, Legislator Rosenquest motioned to adjourn the meeting at 8:25 p.m., seconded by Legislator Waldron. Carried (10-0-0).

Respectfully submitted,



Jeanene Bell  
Senior Stenographer