

COUNTY OF CLINTON)
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STATE OF NEW YORK)

May 26, 2023

Stenographer's minutes of the Regular Session of the Clinton County Legislature held Wednesday, May 24, 2023 in the Legislative Chambers, 137 Margaret Street, Plattsburgh, New York.

PRESENT: David Bezio, Area 4
Calvin Castine, Area 1
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

EXCUSED: Robert Hall, Area 10

ALSO PRESENT: Michael Zurlo, County Administrator
Kim Kinblom, Deputy County Administrator
Gary Favro, Assistant County Attorney

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

Kim Kinblom, the Deputy County Administrator, conducted roll call. Legislator Hall asked to be excused.

Legislator Hughes motioned to accept the minutes of the May 10, 2023 Regular Session, seconded by Legislator Bezio. Carried (9-0-1).

Chairperson Henry asked if anyone wished to address the Legislature.

Aaron Fung of Ausable Forks, New York, stated he has heard another lawsuit has been filed against the Clinton County Sheriff's Office. He requested the Legislature to legislate and hire a third-party entity to investigate the issue. He doesn't feel the Chairperson of the Legislature should be a part of the investigation because that is a conflict of interest, as he is a business partner of the aforementioned Department Head. He asked the Legislature how much taxpayer funds are going down the drain over this issue. He feels the taxpayers are already overburdened and want answers. He requested the Legislature figure out what is going on in that Department and asked the nine Legislative members, minus the Chairperson, to do something, to stop enabling and to open an investigation of the issue.

Mr. Fung also spoke regarding the immigration issue. He requested the County be declared an illegal immigrant crisis, because the taxpayers can't afford this financial drain and asked the Legislature to protect the citizens of the County and take action.

Chelsea Liberty of Dannemora, New York, stated since she last addressed the Legislature, two more women have filed federal lawsuits against the Clinton County Sheriff's Office. The total is now five women, including herself, that claim sexual harassment, discrimination or retaliation. She is once again calling for Sheriff David Favro's resignation as there is no leadership or oversight of that Department, and there is a serious concern for the safety of the inmates and female employees within that facility. She stated if the Sheriff does not resign, what will the Legislature do to help this issue? She encourages the Legislature to call upon the Attorney General's Office or the Office of the Governor of New York State for an investigation of that Department. Ms. Liberty reported the actions or inactions of the Sheriff and those that have remained employed need to be addressed. She recommended the Legislature please not remain silent any longer and if the Legislature feels they don't have the power, then reach out to someone who does.

Mike Strand of Milton, Vermont, stated the Plattsburgh International Airport has received tens of millions of dollars in federal and state grants, as well as, funds of the Clinton County taxpayers. He reported the Airport is an important role for the community, it provides air service for vacation and business opportunities for those individuals travelling in or out. He reported the Airport has lost money every year since its existence, totaling an estimated \$22 million. He acknowledges that the Airport's role is not to make money but rather to provide a service to its people. One of those services is assured by grant assurances that the Airport signs when it accepts federal funds for Airport improvements. In those grant assurances, it says the Airport may not discriminate against users of that airport based on their activity. He reported he has, since January, 2023, been seeking to establish permission to land parachutes on the Airport (which is required under Federal Aviation regulation that he receive airport management permission before he is allowed to land a parachute.) He noted the airport management is allowed to deny his request for access to the Airport based on safety and efficiency concerns. The County has never stated that they have any of those concerns. In a meeting with the Federal Aviation Administration (FAA), approximately three weeks ago, the FAA Grant Assurance Oversight Manager said that, "if a complaint was to be filed, I would absolutely rule in fact that the parachutists are being denied access to the Airport; what I can not say is what the cost would be to those parachutists." He reported what that means is the Airport is allowed to charge them money. The parachutists have sent proposals anywhere from \$300 to in the thousands of dollars per year in order to use two acres on the south end of the field. The parachutists have also said that they would like to procure

security badging for their participants, which requires all necessary background checks and training in order to safety, and securely, be on that field. He stated he has been denied time after time. The Grant Assurance Manager from the FAA also stated that if the Airport is found to not be in compliance, that they would lose access to their Federal Airport Improvement Program (AIP) funds until they are in compliance. It would also put the Airport in jeopardy of any Essential Air Service (EAS) or alternate EAS in the future as the County will have established a precedent of not following their requirements as a federal grant recipient. All he is asking for is the Airport to review the parachutist's proposal and provide an answer. Earlier, Mr. Strand spoke with the Plattsburgh International Airport Committee and they stated they would provide him a progress update no later than July 1, 2023. He noted he is not looking for an answer by July 1, 2023, just an update on the progress. At a later time, he stated they can deal with a final outcome of that. He urges the Legislature to encourage the Airport Committee and the Airport Director to do what is required by federal law and what is right by providing access to a public use airport to the public.

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 has not met since the last Regular Session.

The next Buildings and Grounds Committee meeting is tentatively scheduled for Monday, June 12th 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, June 6th 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 Economic Development and County Operations Committee was polled on Resolution #389 which has been placed on the agenda.

The next Economic Development and County Operations Committee meeting is tentatively scheduled for Wednesday, June 14th at 4:00 p.m.

Finance Committee – Legislator Timmons

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

The Finance Committee was polled on Resolution #390 which has been placed on the agenda.

The next Finance Committee meeting is tentatively scheduled for Wednesday, June 7th 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, June 7th 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, June 6th at 4:15 p.m.

Personnel Committee – Legislator Henry

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

The next Personnel Committee meeting is tentatively scheduled for Monday, June 5th at 5:00 p.m.

Plattsburgh International Airport Committee – Legislator Waldron

On behalf of Legislator Hall, Legislator Waldron reported the Plattsburgh International Airport Committee met earlier.

Chris Kreig, the Airport Director, discussed the resolutions, “Authorizing Lease Agreement with ELRAC, LLC” and “Authorizing Contract with ControlTouch Systems, LLC”, as well as, an airline update, a construction update and a tenant update.

Resolutions #391 through #401 have been placed on the agenda upon the recommendation of the Committee.

The next Plattsburgh International Airport Committee meeting is tentatively scheduled for Wednesday, June 28th at 4:00 p.m.

Public Safety Committee – Deputy County Administrator Kim Kinblom

On behalf of Legislator Castine, Ms. Kinblom reported the Public Safety Committee has not met since the last Regular Session.

The Committee was polled on Resolutions #402 through #404, as well as, Resolution #411 which have been placed on the agenda.

The next Public Safety Committee meeting is tentatively scheduled for Monday, June 5th at 4:00 p.m.

Legislator Castine reported there were 677 illegal immigrants that entered the Swanton sector in the month of April from 29 countries. He believes the County should be proactive and have a plan for Governor Kathy Hochul’s proposal to house the migrants in SUNY dorms. Legislator Hughes suggested the Legislature discuss the concept. It was advised by Counsel to discuss this issue in Executive Session.

Transportation Committee – Legislator Kretser

Legislator Kretser reported the Transportation Committee has not met since the last Regular Session.

The Committee was polled on Resolutions #405 and #406 which have been placed on the agenda.

The next Transportation Committee meeting is tentatively scheduled for Monday, June 12th at 5:15 p.m.

LIAISON REPORTS

Board of Health – Legislator Potiker

Legislator Potiker reported the Board of Health meeting was held on Monday, May 15th at 7:00 p.m. and Public Health Director Jeff Sisson provided an update on the Health Department's Strategic Plan. He noted six resolutions were passed and several reports were discussed. The next Board of Health meeting is scheduled for Monday, June 19th at 7:00 p.m. and is open to the public.

Clinton Community College – Legislator Bezio

Legislator Bezio reported the Clinton Community College's Board of Trustees meeting scheduled for Tuesday, May 23rd was cancelled and is rescheduled for Tuesday, June 6th. Legislator Bezio stated the 2023 Clinton Community College Graduation Ceremony held on Friday, May 19th and the Nurses Pinning Ceremony on Saturday, May 20th were well attended by the public.

Intercounty of the Adirondacks – Legislator Waldron

Legislator Waldron reported she will be attending the meeting in Washington County tomorrow, Thursday, May 25th.

STAFF REPORTS

Assistant County Attorney – Gary Favro, Esq.

Mr. Favro did not have a report.

County Administrator – Michael Zurlo

Mr. Zurlo requested an Executive Session to discuss a matter regarding the sale and lease of real property and collective negotiations.

Chairpersons Report

Chairperson Henry requested an Executive Session to discuss matters of public safety.

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

Resolution #389 was approved.

Resolution #390 titled, "Authorizing Contract with Barton & Loguidice, D.P.C." was motioned by Legislator Timmons and seconded by Legislator Castine. Carried (9-0-1).

Discussion: Mr. Zurlo apprised the Legislature regarding the funding of this project. He stated the County is under a consent order from the Department of Environmental Conservation for contamination (that is yet to be determined) and the County has sought a grant from the Department of Health's Environmental Facilities Corporation and was awarded \$5 million. The County believes the project will cost less than \$5 million but should it exceed that number, any cost associated with this project will be split fifty percent between Casella Waste Management, Inc. and the County. He noted this resolution awards the Request for Qualifications for design work for the project.

Resolution #391 titled, "Approving Use of Airport Hangar for Champlain Valley Physicians Hospital (CVPH) Event" was motioned by Legislator Timmons and seconded by Legislator Hughes. Carried (9-0-1).

Discussion: Legislator Kretser abstained.

Resolutions #392 through #395 were approved.

Resolution #396 titled, "Amending Plattsburgh International Airport Rates and Charges" was motioned by Legislator Waldron and seconded by Legislator Hughes. Carried (9-0-1).

Discussion: Mr. Zurlo stated for those not on the Plattsburgh International Airport Committee, there is a document with the new rates and charges, as well as, a document of the prior rates and charges available for review. If you would like to view, please contact him or Ms. Kinblom for a copy.

Resolutions #397 through #411 were approved.

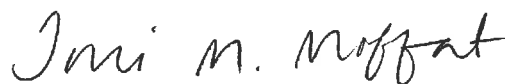
Legislator Bezio motioned to enter into Executive Session at 5:49 p.m., seconded by Legislator Kretser. Carried (9-0-1).

Legislator Peryea motioned to exit Executive Session at 6:20 p.m., seconded by Legislator Hughes. Carried (9-0-1).

Chairperson Henry stated he was in Washington, D.C with North-Country Chamber of Commerce delegates to discuss various things and to raise support for the Plattsburgh International Airport, which is designated as a User Fee Airport. Chairperson Henry reported they had the opportunity to talk with Senator Charles Schumer, Senator Kirsten Gillibrand and Congresswoman Elise Stefanik regarding the fact that the Plattsburgh International Airport should not be considered a User Fee Airport. The discussion was well received and the elected officials are looking for an appropriate vehicle to move that forward. He is cautiously optimistic that the County will hear good news. Mr. Zurlo reiterated that the County would like the Plattsburgh International Airport to be designated as a Port of Entry and not a User Fee Airport. As such, once an Airport is designated as a Port of Entry, the Federal government would pick up the cost of Customs.

There being no further business to come before the Legislature, Legislator Hughes motioned to adjourn the meeting at 6:29 p.m., seconded by Legislator Bezio. Carried (9-0-1).

Respectfully submitted,



Toni M. Moffat
Executive Secretary to the County Administrator

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