

COUNTY OF CLINTON)
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STATE OF NEW YORK)

December 3, 2012

Stenographer's minutes of the Regular Session of the Clinton County Legislature held Wednesday, November 28, 2012 in the Legislative Chambers, 137 Margaret Street, Plattsburgh, New York.

PRESENT: Jonathan Beach, Area 2
Robert Butler, Area 6
Mark Dame, Area 8
Samuel Dyer, Area 3
John Gallagher, Area 9
Robert Heins, Area 10
Pete Keenan, Area 5
James Langley, Jr., Chairperson, Area 7
Sara Rowden, Deputy Chairperson, Area 4

EXCUSED: Harry McManus, Area 1

ALSO PRESENT: Michael Zurlo, County Administrator
Rodney Brown, Deputy County Administrator
William Favreau, County Attorney
Katherine Brown, Senior Stenographer

Chairperson Langley 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. Legislator McManus had asked to be excused.

Legislator Butler offered a motion to accept the minutes of the November 14, 2012 Regular Session, seconded by Legislator Dyer. (Carried 9-0-1).

Legislator Dame presented a plaque of Resolution #902 dated November 14, 2012 to Andrew Pulrang, congratulating him on his retirement as Executive Director of the North Country Center for Independence.

Chairperson Langley asked if there was anyone who wished to address the Legislature. There being no one who wished to do so, Chairperson Langley called for standing committee and liaison reports.

Committee Reports

Buildings and Grounds Committee – Legislator Dyer

Legislator Dyer reported the next meeting of the Buildings and Grounds Committee is scheduled for Thursday, December 13th at 5:15 p.m.

County Operations Committee – Legislator Dame

Legislator Dame reported the next meeting of the County Operations Committee is scheduled for Tuesday, December 4th at 6:15 p.m.

Finance Committee – Legislator Rowden

Legislator Rowden reported Resolutions #904, #905, #908, #909 and #910 are included on the agenda upon the recommendation of the Finance Committee. Resolutions #906 and #907 have been withdrawn.

A public hearing on the 2013 County budget is scheduled for Wednesday, December 5th at 7 p.m.

Human Services Committee – Legislator Keenan

Legislator Keenan reported the next meeting of the Human Services Committee is scheduled for Tuesday, December 4th at 5:15 p.m.

Personnel – Legislator Gallagher

Legislator Gallagher reported a Personnel Committee meeting is scheduled for Wednesday, December 12th prior to Regular Session. The meeting time will be announced.

Plattsburgh International Airport – Legislator Heins

Legislator Heins reported the Plattsburgh International Airport Committee met earlier this evening. Resolutions #911 through #913 are included on the agenda upon the recommendation of the Committee. A construction update was provided. The demolition of the Pratt Whitney hangar is almost completed. C & S Engineers, Inc. is in the process of assessing Airport buildings for potential use. Flights are down from last year which is possibly due to the Direct Air issue; however, enplanements should be at 115,000 to 120,000 by the end of the year. Allegiant will be starting flights to Las Vegas, Nevada. Negotiations continue for flights to Punta Gorda, Florida. Spirit Airlines will be expanding night flights to seven days a week.

Public Safety Committee – Legislator Butler

Legislator Butler noted the F16/F35 of the Vermont National Guards. He asked if this is something that has been entertained by Clinton County in case Vermont doesn't go forward with this. Legislator Heins stated there would be many pieces to look at, but we should look at if the situation should arise.

Legislator Butler reported the Public Safety Committee meeting scheduled for Monday, November 19th was cancelled. Resolutions #914 through #923 are included on the agenda as a result of a poll of the Committee. The next meeting is scheduled for Monday, December 10th at 6:15 p.m.

Liaison Reports

Chamber of Commerce – Legislator Rowden

Legislator Rowden reported the next meeting of the Strategic Tourism Planning Committee is scheduled for Friday, December 7th.

Clinton Community College – Legislator Dame

Legislator Dame reported Resolutions #905 through #907 are included on the agenda upon the recommendation of the Finance Committee. Mr. Zurlo stated three projects were discussed at the November 14th Finance Committee meeting, but only one project will be acted upon this evening. Of the two remaining projects, one will be acted upon at a forthcoming Regular Session meeting and the second will be held off for another year.

Board of Health – Legislator Beach

Legislator Beach reported the Board of Health met Monday, November 19th. Discussion took place regarding the increase of rabies which could be attributed to the State bait drops. With regard to the salt water issue in the Town of Dannemora, the New York State Department of Environmental Conservation continues to seek a solution. The Board discussed revising some of the penalties for campgrounds, trailer parks, etc. with regard to food safety.

InterCounty – Legislator Dame

Legislator Dame reported the InterCounty Legislative Committee of the Adirondacks met Thursday, November 15th in Warren County. A legislative update by the New York State Association of

LC/LG Regional Planning Board – Legislator Dame

Legislator Dame reported the bi-annual meeting of the Lake Champlain/Lake George Regional Planning Board will be held in December, 2012.

Soil and Water – Legislator Dyer

Legislator Dyer reported the next meeting of the Soil and Water Conservation District is scheduled for Thursday, December 20th at 7 p.m. He indicated the office continues to be very busy, but everything is going smoothly.

Legislator Rowden reported she attended the Tuesday, November 27th meeting of the Community Services Board. She reported that the number of suicides reported in Clinton County is 2.5 percent higher than the State average. Initiatives are currently being looked at to provide training to employers/employees at workplaces where higher risks of suicide exist, so they can better recognize the signs.

Legislator Rowden reported Dr. John Schenkel, a full-time Psychiatrist at Mental Health and Addiction Services, will retire in December. She indicated the need for psychiatrists is not only a problem for Mental Health and Addiction Services in providing necessary services, it is a problem for the entire community.

Staff Reports

County Attorney William Favreau spoke favorably regarding the Clinton County Board of Elections. He stated with regard to the recent election, the Clinton County Board of Elections was one of two in thirteen counties whose results were not sequestered in the election of Judges in the Fourth Judicial District. This is a testament of how well the election was run in Clinton County.

Mr. Favreau requested an Executive Session to discuss a litigation matter.

Mr. Zurlo stated he would also like to discuss a matter of collective negotiations.

There being no further business, Chairperson Langley moved onto Resolutions. The following Resolutions were approved unless otherwise noted.

Resolutions #903 through #905 were approved.

Resolution #906 titled, “Concurring with Clinton Community College’s Board of Trustees’ Recommendation to Approve the Soccer Field Project – Clinton Community College” was withdrawn.

Resolution #907 titled, “Concurring with Clinton Community College’s Board of Trustees’ Recommendation to Approve the Forrence Building Roof Project – Clinton Community College” was withdrawn.

Resolutions #908 through #935 were approved.

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

Resolution #936 titled, "Authorizing Engineering Services Agreement for Design for Replacement of the Narrows Road Bridge Over Chateaugay Narrows, BIN 3336650 – Highway Department"

Legislator Beach offered a motion to approve the resolution, seconded by Legislator Butler.

Discussion:

Legislator Butler stated he has concern with spending this amount of money for the design work to correct deficiencies relative to the replacement of the Narrows Road Bridge. Chairperson Langley stated a lot of this falls upon the requirements for Marchiselli funding. Carried (9-0-1).

Legislator Rowden referenced Resolution #909 on the agenda titled, "Authorizing the County Treasurer to Appropriate and Transfer Funding from the Tobacco Reserve." She stated the Resolution does not reference the recent amendment to the policy to expand the types of projects eligible for Tobacco Settlement funding to include community-related projects. Mr. Zurlo stated upon agreement by the Legislature, he will treat this as a typographical error. The Legislature agreed. Resolution #909 will be corrected to reference the recent amendment to the policy. Carried (9-0-1).

Resolution #937 was approved.

Chairperson Langley entertained a motion from Legislator Gallagher to enter into Executive Session at 7:35 p.m. to discuss a matter of pending litigation and a matter of collective negotiations, seconded by Legislator Beach. Carried (9-0-1).

Chairperson Langley offered a motion to adjourn Executive Session at 9:16 p.m. and return to Regular Session, seconded by Legislator Heins. Carried (9-0-1).

There being no further business, Chairperson Langley entertained a motion from Legislator Gallagher to adjourn Regular Session at 9:17 p.m., seconded by Legislator Heins. Carried (9-0-1).

Respectfully submitted,



Katherine A. Brown
Senior Stenographer