

COUNTY OF CLINTON)
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STATE OF NEW YORK)

October 15, 2012

Stenographer's minutes of the Regular Session of the Clinton County Legislature held
Wednesday, October 10, 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
Pete Keenan, Area 5
James Langley, Jr., Chairperson, Area 7
Harry McManus, Area 1
Sara Rowden, Deputy Chairperson, Area 4

EXCUSED: Robert Heins, Area 10

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 7:00 p.m.

Following the pledge of allegiance to the flag, County Administrator Michael Zurlo conducted roll call. Legislator Heins had asked to be excused.

Legislator Butler offered a motion to accept the minutes of the September 26th Regular Session, seconded by Legislator Dyer. (Carried 9-0-1).

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 Buildings and Grounds Committee did not meet this month. The Government Center's Dumpster Enclosure Project, a 2012 Master Plan Project, was completed this week. The next meeting is scheduled for Thursday, November 8th at 5:15 p.m.

County Operations Committee – Legislator Dame

Legislator Dame reported Resolutions #737 through #741 are included on the agenda as a result of a poll of the County Operations Committee.

Michael Zurlo, County Administrator, stated the Veterans I.D. Card which was previously discussed by the County Operations Committee is now off the table. A State Law was passed allowing the State Department of Motor Vehicles to place a distinguishing mark on a driver's license or non-driver I.D. to indicate the holder is a veteran.

Finance Committee – Legislator Rowden

Legislator Rowden reported the next regular meeting of the Finance Committee is scheduled for Wednesday, November 7th at 5:15 p.m.

Mr. Zurlo stated the budget review process will begin at the Wednesday, November 14th Finance Committee meeting. County Attorney William Favreau has spoken with Ira Cowen, County Treasurer of Sullivan County who is a recognized expert on bankruptcy/foreclosure and who is available to come to Clinton County on November 14th to address the Finance Committee. Mr. Zurlo suggested he address the Committee at 4:30 p.m. with the meeting to follow.

Health Committee – Legislator Beach

Legislator Beach reported Resolutions #744 through #750 are included on the agenda as a result of a poll of the Health Committee.

Human Services Committee – Legislator Keenan

Legislator Keenan reported Resolutions #751 through #755 are included on the agenda as a result

of a poll of the Human Services Committee. The next meeting is scheduled for Tuesday, November 13th at 5:15 p.m.

Personnel – Legislator Gallagher

Legislator Gallagher reported the Personnel Committee met Monday, October 1st at 5:15 p.m. Resolutions #756 through #770 are included on the agenda upon the recommendation of the Committee. Resolution #770 will adopt the Clinton County Volunteer Policy. Mr. Zurlo stated unless there is a crisis situation, the Personnel Committee will not meet again until 2013.

Public Safety Committee – Legislator Butler

Legislator Butler reported the Public Safety Committee met Tuesday, October 9th at 5:15 p.m.

Frank Mercier, STOP-DWI Coordinator, reviewed the September, 2012 Public Safety Report and discussed the Highway Safety Grant. Mr. Mercier stated the High Visibility Road Checks/Saturation Patrols/Drug Recognition Experts (DRE) Call Out During Impaired Driving Crackdowns Grant has been approved.

Eric Day, Director of Emergency Services, discussed the Regional Partnership Agreement which will maintain the County’s hazardous materials response equipment.

Resolutions #773 through #786 are included on the agenda as a result of the Committee’s recommendation.

The next meeting is scheduled for Monday, November 19th at 6:15 p.m.

Transportation Committee – Legislator McManus

Legislator McManus reported Resolutions #787 through #792 are included on the agenda as a result of a poll of the Transportation Committee.

Legislator McManus reported Highway Superintendent Al Rascoe has an item for discussion with the Legislature in Executive Session.

Liaison Reports

Chamber of Commerce – Legislator Rowden

Legislator Rowden reported the next meeting of the Strategic Planning Tourism Committee is scheduled for Friday, November 9th.

Legislator Rowden also reported she has been asked to serve as a member on the Clinton County Community Services Board.

Board of Health – Legislator Beach

Legislator Beach reported the next meeting of the Board of Health is scheduled for the week of October 15th.

Intercounty – Legislator Dame

Legislator Dame reported the next meeting of the Intercounty Legislative Committee of the Adirondacks is scheduled for Thursday, October 18th at 10:30 a.m. in Clinton County and will take place at the Plattsburgh International Airport. All Legislators are invited to attend. Airport Manager Chris Kreig will be the keynote speaker.

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, October 18th at 7 p.m.

Staff Reports

County Attorney William Favreau stated he would like an Executive Session to discuss a pending potential litigation matter.

Mr. Zurlo stated he had no report.

Chairperson Langley reported Governor Andrew Cuomo was in Plattsburgh earlier today to tour 13 projects as a result of the Economic Development Council. He and other select officials travelled with Governor Cuomo via Nova Bus, visiting the Strand Theatre and Bombardier Corporation. City of Plattsburgh Mayor Donald Kasprzak and Town of Plattsburgh Supervisor Bernard Bassett were also part of the tour.

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

Resolutions #735 through #737 were approved.

Resolution #738 titled, "Authorizing Contract Amendment with Cott Systems, Inc. – County Clerk" was offered by Legislator Dame, seconded by Legislator Keenan.

Discussion:

Mr. Zurlo stated Resolutions #738 and #739 are positive moves and significantly less than previously approved. Carried (9-0-1).

Resolution #739 was approved.

Resolution #740 titled, "Authorizing Various Contracts for the Year 2012 – Information Technology" was offered by Legislator Dame, seconded by Legislator Beach. The resolution passed by a vote of 8 yes; 0 no; 1 absent; 1 abstain. Legislator Dame abstained.

Resolution #741 titled, "Authorizing Contract with Primelink Voice & Data – Information Technology" was offered by Legislator Dame, seconded by Legislator Kennan.

Discussion:

Mr. Zurlo reported this will provide the County with a backup Internet Broadband Service at a quicker speed for less money. Carried (9-0-1).

Resolution #742 titled, "Amending Resolution #422 dated June 14, 2000 titled, "Establishing a Policy with Regards to the Expenditure of Tobacco Settlement Funds – Legislature" was offered by Legislator Rowden, seconded by Chairperson Langley.

Discussion:

Chairperson Langley stated more could be done for the community if the County were less restricted with what it could do with these funds.

Mr. Zurlo stated Resolution #742 commits no funds and just eliminates the criteria that funds must be spent on only health-related issues.

Legislator Rowden stated she supports this concept, but her only concern is that she doesn't want to see the funds used just for General Fund issues. There needs to be some restriction that it be used for particular initiatives within the community.

Mr. Zurlo stated this was the intention. He can amend Resolution #742 to state "community-related projects as determined by the group."

Legislator Dame asked if there is a stipulation as to how these funds are to be spent. Mr. Zurlo replied the County created its own stipulation which was 5 percent for Health Department and 95 percent for debt service for the Highway Department.

Legislator Dame asked if the County receives this every year. Mr. Zurlo replied the County will receive these funds as long as people smoke tobacco products.

Legislator Rowden stated she is in favor of expanding it to other community-related projects which do periodically come up and have potential good economic impact on the community.

Mr. Zurlo stated the "Be It Resolved" clause will state the 5 percent portion of Tobacco Settlement be used for community-related projects and not be limited to health-related issues. Carried (9-0-1).

Resolution #743 was approved.

Resolution #744 titled, "Authorizing Contract with Wanda Flynn – Health Department" was offered by Legislator Beach, seconded by Legislator Gallagher.

Discussion:

Mr. Zurlo reported this contract is an addition to an existing contract providing quality assurance services for the Health Department. Ms. Flynn will be performing some of the work as well. The contract amount will be split between the two contracts and will be paid from the original contract. Carried (9-0-1).

Resolutions #745 through #764 were approved.

Resolution #765 titled, "Approving Backfill of a Permanent, Full-Time Motor Equipment Operator I – Highway Department" was offered by Legislator Gallagher, seconded by Legislator McManus.

Discussion:

Legislator Gallagher stated some of these positions are linked together. Backfills and promotions can create the need for backfills. Carried (9-0-1).

Resolutions #766 through #770 were approved.

Resolution #771 titled, "Awarding Bid for Water/Wastewater Utility Improvements – Phase I (Construction) Project – Plattsburgh International Airport" was offered by Legislator McManus, seconded by Legislator Rowden.

Discussion:

Rodney Brown, Deputy County Administrator, reported the award was less than the total bid because the Federal Aviation Administration determined that Add-On No. 4 did not receive clearance. The contract amount is for the Base Bid plus Add-Ons No. 1 through No. 3. Mr. Zurlo stated Mr. Brown has scheduled a follow-up meeting with the Town of Plattsburgh based on this award. Carried (9-0-1).

Resolution #772 was approved.

Resolution #773 titled, "Authorizing Contracts with Eric Gorman, M.D., Deonarayan Saha, M.D. and Jolie Rodriguez, M.D. – Coroner" was offered by Chairperson Langley, seconded by Legislator Rowden

Discussion:

Legislator Dame remarked on the service rates and asked if the services are ordered by the Health Department. Mr. Zurlo replied the service is a State statute requiring these for unattended deaths. Mr. Brown stated many attended deaths have Hospice present which is a great savings for the County. Carried (9-0-1).

Resolution #774 titled, "Authorizing Contract with CVPH Medical Center – Coroner" was offered by Legislator Rowden, seconded by Legislator Beach.

Discussion:

Mr. Zurlo stated this service is related to Resolution #773. This is for the cost of the rental of the room and laboratory at the CVPH Medical Center. Carried (9-0-1).

Resolution #775 was approved.

Resolution #776 titled, "Authorizing Various Contracts for the Year 2013 – Probation Department" was offered by Legislator Butler, seconded by Legislator Gallagher. Legislator Beach requested a Roll Call vote. The resolution passed by a vote of 8 yes; 0 no; 1 absent; 1 abstain. Legislator Beach abstained.

Resolutions #777 through #787 were approved.

Resolution #788 titled, "Authorizing Bus Maintenance Contracts with Various Agencies – Clinton County Public Transit (CCPT)" was offered by Legislator McManus, seconded by Legislator Dyer.

Discussion:

Mr. Zurlo stated this service allows Clinton County Public Transit (CCPT) to continue making all of its runs. The vehicle maintenance service provided to these agencies generates profit for CCPT. Carried (9-0-1).

Resolutions #789 through #800 were approved.

Resolution #801 titled, "Authorizing the County Treasurer to Transfer Funds from the Plattsburgh International Airport Unreserved Fund Balance and Increase the Plattsburgh International Airport Budget – Plattsburgh International Airport" was offered by Legislator Rowden, seconded by Legislator Dyer.

Discussion:

Mr. Zurlo stated these funds are from the Airport's Fund Balance and will be used for C & S Engineers, Inc.'s assessment of the four buildings located at the Airport which was previously approved by the Plattsburgh International Airport Committee. Carried (9-0-1).

Resolutions # 802 through #805 were approved.

Resolution #806 titled, "Complying with New York State Comptroller Regulations by Establishing Standard Work Day and the Reporting of Retirement Credit for Elected and Appointed Officials – Legislature" was offered by Chairperson Langley, seconded by Legislator Butler. Legislator Dame requested a Roll Call vote. The resolution passed by a vote of 8 yes; 1 no; 1 absent. Legislator Dame voted no.

Resolution #807 was approved.

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

Resolution #808 was approved.

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

Legislator Gallagher remarked on the recent death of Edward Collins of Morrisonville, New York, a history buff that brought a lot of history to Clinton County and worked with others to do so.

Legislator McManus asked when an appropriate time would be to review the County's health insurance plans and look at incentives and disincentives for health-related issues relative to Excellus's Wellness Program. Mr. Zurlo replied the time has past for 2013. The County will be receiving the health insurance rates shortly from Excellus. Mr. Zurlo stated he will invite Legislator McManus to attend next year's meeting regarding employee health insurance with Personnel Director Alan Gibson, himself and the County's Broker.

Chairperson Langley entertained a motion from Legislator Gallagher to enter into Executive Session at 7:52 p.m. to discuss a matter of potential litigation, seconded by Legislator Beach. Carried (9-0-1).

Legislator Gallagher offered a motion to adjourn Executive Session at 8:39 p.m. and return to Regular Session, seconded by Legislator Butler. Carried (9-0-1).

There being no further business, Chairperson Langley entertained a motion from Legislator Gallagher to adjourn Regular Session at 8:40 p.m., seconded by Legislator Rowden. Carried (9-0-1).

Respectfully submitted,



Katherine A. Brown
Senior Stenographer