

COUNTY OF CLINTON)
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STATE OF NEW YORK)

April 9, 2020

Stenographer's minutes of the Regular Session of the Clinton County Legislature held Wednesday, April 8, 2020 via teleconference, Clinton County, New York.

PRESENT: Mark Henry, Chairperson, Area 3
Simon Conroy, Area 4
Mark Dame, Area 8
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

ALSO PRESENT: Michael E. Zurlo, County Administrator
Rodney Brown, Deputy County Administrator
Jacqueline Kelleher, Esq., County Attorney

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 Rosenquest motioned to accept the minutes of the March 25, 2020 Regular Session, seconded by Legislator Hall. Carried (10-0-0).

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 – Mr. Zurlo

Mr. Zurlo reported the Buildings and Grounds Committee has not met since the last Regular Session. 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. Resolution #236 was polled and placed on the agenda upon the recommendation of the Committee. 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. Resolutions #237 and #238 have been polled and placed on the agenda upon the recommendation of the Committee. 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. Standing committee meetings have been cancelled until further notice.

Health Committee - Legislator Waldron

Ms. Waldron stated the Health Committee has not met since the last Regular Session. Resolutions #239 and #240 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 joined the meeting and provided a detailed update on the current COVID-19 statistics, as well as a briefing on the Health Department's response to the crisis.

Human Services Committee - Legislator Conroy

Legislator Conroy stated the Human Services Committee has not met since the last Regular Session. Resolutions #241 and #242 have been polled and placed on the agenda upon the recommendation of the Committee. 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 did not meet on its regularly scheduled April 6, 2020 meeting but rather submitted a poll on Friday, April 3, 2020. Three personnel items were reviewed, and there are three resolutions which have been placed on the agenda that reflect the Committee's recommendations. The Department Heads have been advised that only requests that are essential to operations and related to COVID-19 will be considered.

Plattsburgh International Airport Committee - Legislator Hall

Legislator Hall stated the Plattsburgh International Airport Committee has not met since the last Regular Session. Standing committee meetings have been cancelled until further notice.

The Airport continues to operate serving reduced commercial and general aviation flights. United Express continues to provide flights but has requested approval from USDOT to reduce their schedule from two flights per day to one, while Spirit has cancelled all flights through the end of April. Allegiant has been cancelling most of their flights on a rolling basis a few days out from each flight.

Public Safety Committee - Legislator Castine

Legislator Castine stated the Public Safety Committee has not met since the last Regular Session. Resolutions #243 through #245 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 Dame

Legislator Dame stated the Transportation Committee has not met since the last Regular Session. Standing committee meetings have been cancelled until further notice.

Liaison Reports

Board of Health – Legislator Henry

Mr. Zurlo reported Dr. Kathleen Camelo, the SUNY Plattsburgh Physician, is an active member with the Board of Health. She is communicating with the Board of Health who is communicating with the Health Department and the Incident Command Center.

Chairperson Henry stated an Incident Command Center has been set up at the Office of Emergency Services for commanders (Chairperson Mark Henry, Sherriff David Favro, Emergency Services Director Eric Day and Health Department Director John Kanoza) of the County. The commanders communicate every day in regards to COVID-19 crises.

Intercounty Legislative Committee of the Adirondacks – Legislator Waldron

Legislator Waldron stated Clinton County was to host the Thursday, April 23rd meeting. This has been cancelled.

LC/LG Regional Planning Board – Legislator Waldron

Legislator Waldron stated the LC/LG Regional Planning Board is in the process of deferring all loan payments from their current borrowers. She stated the Board continues to assist small businesses that have been affected by COVID-19.

Soil and Water – Legislator Timmons

Legislator Timmons stated a teleconference meeting is scheduled for Thursday, April 16th at 1 p.m.

Workforce Development Board – Legislator Rosenquest

Legislator Rosenquest stated the Workforce Development Board had its quarterly meeting last week.

Staff Reports

County Attorney – Jacqueline Kelleher, Esq.

Jacqueline Kelleher, the County Attorney, requested an Executive Session to discuss personnel matters.

County Administrator – Michael Zurlo

Mr. Zurlo reported Governor Cuomo and his Budget Director can cut State spending unilaterally if the State Financial Plan is out of balance by \$1 billion. He stated the State Financial Plan will be out of balance from \$10 to \$15 billion. State aid cuts can be expected between 10 to 15 percent which could hurt Clinton County in excess of \$3.5 million. Mr. Zurlo stated if the Stimulus IV Bill is passed in Congress that we will advocate for payments to go to State and local governments. In a New York State Association of Counties (NYSAC) conference call, Senator Charles Schumer stated the Stimulus IV Bill is under active discussion, and he is critically aware those payments should go to State and local governments. Mr. Zurlo stated the Stimulus IV Bill will be a topic of discussion at an upcoming conference call with Congresswoman Elise Stefanik.

Also included in the State Budget was \$250 million to fund a Statewide Distressed Hospital Trust Fund of which \$200 million would come from the City of New York and \$50 million generated by upstate counties. Mr. Zurlo stated local sales tax will be intercepted in order to generate the money for the Distressed Hospital Trust Fund. The interception would equate to approximately \$350,000 to Clinton County. The intercept is for only two years, but is very distressing news.

Mr. Zurlo stated the original Medicaid proposal was defeated. That would have affected Clinton County by over \$1.3 million going forward in perpetuity. The Medicaid cap remains in place.

The sales tax extender of one percent was passed for three additional years. All Home Rule Bills were placed in the Budget Omnibus Bill. Aid for Municipalities (AIM) payments intercept are kept in place from last year. Community College aid was reduced by \$31 million Statewide. The base aid formula remained the same, but the floor was removed. It is anticipated this would cost Clinton Community College approximately \$250,000. All projects funded by 30 percent of public funds will now be applicable for prevailing wage (effective in year 2022).

Mr. Zurlo stated there is no early voting money this year. The Environmental Bond Act did pass. There is a \$3 billion Environment Bond Act that will be on November's ballot.

There is more judicial discretion given on bail and more time for District Attorneys to deal with the Discovery Process. A small amount of money should flow to District Attorneys to deal with the increased burden placed on their offices having to do with the Discovery Process.

The Enhanced Federal Medical Assistance Percentage (FMAP), which is part of the Federal stimulus package, will flow through the counties which is retroactive to January 1, 2020. The weekly share the County pays in Medicaid to New York State will be reduced.

Mr. Zurlo stated Consolidated Highway and Improvement Program (CHIPS) funds are included in the budget, however, we need to be cognizant that the shift in the State Fiscal Plan may reduce funds that flow to local governments.

Using NYSACs estimates, the County is still estimating sales tax revenue streams could be affected in excess of \$5 million.

The Stimulus Bill did provide money to airports. The formula is being analyzed as to how money would continue to flow. The formula is based on enplanements for the previous and the amount of debt.

Mr. Zurlo stated that with the approval of the Legislature, he will be sending a memo to Department Heads in regards to expenditure restrictions.

Mr. Zurlo stated he, Ms. Kelleher and Personnel Director Kim Kinblom will be meeting electronically with the Union on Friday, April 10th to discuss future issues.

Chairperson Henry stated NYSAC has done great work in all of the items that Mr. Zurlo has discussed.

Rodney Brown, the Deputy County Administrator, provided an update on Tobacco Settlement Funding Projects. The decision was made by the Legislature to not fund any 2020 Tobacco Settlement Funding Projects. Applicants will be notified.

Chairperson Henry stated this is Legislator Dame's last official meeting. His resignation will be effective Friday, April 10th. Chairperson Henry, along with other Legislators, praised Legislator Dame for his service on the Legislature.

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

Resolutions #236 and #237 were approved.

Resolution #238 titled, "Authorizing Contract with Housing Assistance Program of Essex County, Inc." was moved by Legislator Rosenquest and seconded by Legislator Potiker.

Discussion: Mr. Zurlo stated the resolution follows the previous resolution. This is the third party who will be administering the Community Development Block Grant (CDBG) on behalf of Clinton County. They are compensated by a portion of the Grant. Carried (10-0-0).

Resolutions #239 and #240 were approved.

Resolution #241 titled, "Authorizing Contract with Joint Council for Economic Opportunity (JCEO)" was moved by Legislator Conroy and seconded by Legislator Castine.

Discussion: Mr. Zurlo stated the resolution is a result of the discussion held at the Human Services Committee. Delivery System Reform Incentive Payment (DSRIP) funding was reprogrammed to provide an additional service without impacting the tax levy. Carried (10-0-0).

Resolutions #242 through #244 were approved.

Resolution #245 titled, "Authorizing Indigent Legal Services Plan Enhancement Grant Acceptance" was moved by Legislator Castine and seconded by Legislator Potiker.

Discussion: Mr. Zurlo stated this is year two of the Indigent Legal Service Plan Grant. New York State has already been billed by the County in excess of \$700,000. Year three amounts increase beyond \$1.4 million (expenditures will not be based on this anticipated amount). This Grant is not exempt from the potential reduction in State revenue. Any money not expended will remain in the County's line item which can be spent going forward. Carried (10-0-0).

Resolutions #246 through #249 were approved.

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

Resolutions #250 and #251 were approved.

Resolution #252 titled, "Approving Appointment of Director of Planning (PCN 2138)" was motioned by Legislator Henry and seconded by Legislator Hall.

Discussion: Mr. Brown stated it is typical that an interview be held for a candidate of a position. He stated that given the circumstances, an interview will not be held for the appointment of Director of Planning. Mr. Brown stated Glen Cutter, the Senior Planner in the Planning Department, has been a stellar employee. He is an incredibly responsible, hard-working individual who will provide the County with very good service. Mr. Brown stated he whole-heartedly endorses Mr. Cutter for the position of Planning Director. Carried (10-0-0).

Resolution #253 titled, "Urging Governor Cuomo to Consider Unique Circumstances in the North Country Region when Deciding on Redistributing Critical Medical Staff and Supplies" was motioned by Legislator Waldron and seconded by Legislator Dame.

Discussion: Legislator Rosenquest stated as North Country residents and New Yorkers, he feels available resources should be shared. Legislator Henry stated he agrees and that the resolution states Governor Cuomo consider the unique circumstances our region serves (correctional facilities, nursing homes). Carried (9-0-1). Legislator Rosenquest voted no.

Legislator Hall requested an Executive Session to discuss contractual matters.

Legislator Rosenquest motioned to enter into Executive Session at 6:31 p.m. to discuss the above matters, seconded by Legislator Castine. Carried (10-0-0).

Legislator Rosenquest motioned to exit Executive Session at 6:59 p.m., seconded by Legislator Potiker. Carried (10-0-0).

There being no further business to come before the Legislature, Legislator Rosenquest motioned to adjourn the meeting at 7:01 p.m., seconded by Legislator Timmons. Carried (10-0-0).

Respectfully submitted,

A handwritten signature in cursive script that reads "Jeanene Bell".

Jeanene Bell
Senior Stenographer

/jb