

COUNTY OF CLINTON)
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STATE OF NEW YORK)

February 10, 2023

Stenographer's minutes of the Regular Session of the Clinton County Legislature held
Wednesday, February 8, 2023 in the Legislative Chambers, 137 Margaret Street, Plattsburgh, New York.

PRESENT: David Bezio, Area 4
Calvin Castine, Area 1
Robert Hall, Area 10
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

EXCUSED: Patty Waldron, Area 6

ALSO PRESENT: Michael Zurlo, County Administrator
Kim Kinblom, Deputy County Administrator
Jacqueline Kelleher, County Attorney

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

Michael Zurlo, the County Administrator, conducted roll call. Legislator Waldron asked to be excused.

Legislator Hughes motioned to accept the minutes of the January 25, 2023 Regular Session, seconded by Legislator Kretser. Carried (9-0-1).

Chairperson Henry asked if anyone wished to address the Legislature.

There being no one 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, February 13th at 4:00 p.m.

Children and Family Services Committee – Legislator Potiker

Legislator Potiker reported the Children and Family Services Committee met on Tuesday, February 7th.

John Redden, the Commissioner of Social Services, was present to discuss the resolutions, “Authorizing Contract with Alltech Integrations, Inc.” and “Amending Resolution #815 dated November 1, 2022 titled, “Authorizing Various Contracts for the Year 2023.”

Mr. Redden also discussed the monthly statistics for December, 2022, the end of the Public Health Emergency, the Home Energy Assistance Program (HEAP), Substance Abuse Sanctions and the 2023 State Budget.

Resolutions #73 and #74 have been placed on the agenda as a result of the Committee’s recommendation.

The next Children and Family Services Committee meeting is scheduled for Tuesday, March 7th at 5:15 p.m.

Economic Development and County Operations Committee – Legislator Timmons

On behalf of Legislator Waldron, Legislator Timmons reported the Economic Development and County Operations Committee met earlier.

Molly Ryan, the Economic Development Director, was present to discuss the resolution, “Amending Resolution #452 dated August 12, 2020 titled, “Awarding Request for Qualifications for Engineering Services.”

David Randall, the Director of Information Technology, was also present to discuss the resolution, "Authorizing Payment of Membership Dues." Mr. Randall also discussed the County Internet Domain Names.

Glen Cutter, the Planning Director, was also in attendance to discuss the resolutions, "Updating Fees for GIS Maps, Photos, Map Tubes and Copies" and "Authorizing Memorandum of Agreement with the New York State Department of Agriculture and Markets."

Tammy Lacey, the Director of Real Property, was present to discuss updating the County Exemption for Volunteer Firefighters and Emergency Medical Services.

Resolutions #75 through #82 have been placed on the agenda as a result of the Committee's recommendation.

The next Economic Development and County Operations Committee meeting is scheduled for Wednesday, March 8th at 4:00 p.m.

Finance Committee – Legislator Timmons

Legislator Timmons reported the Finance Committee met on Wednesday, February 1st.

Kimberly Davis, the County Treasurer, was present to discuss the 2022 and 2023 Sales Tax Charts, 2022 Sales Tax Distribution, Total Sales Tax Comparison for years 2018 through 2022, In Rem Foreclosure, Occupancy Tax and the resolution, "Authorizing the County Treasurer to Appropriate American Rescue Plan Act (ARPA) of 2021 Funds to Various Accounts."

Resolutions #83 through #90 have been placed on the agenda as a result of the Committee's recommendation.

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

Health Committee – Legislator Hughes

Legislator Hughes reported the Health Committee met on Wednesday, February 1st.

Richelle Gregory, the Director of Community Services, was present to discuss several resolutions including, "Authorizing Contract Extension with Rooted Compassion Counseling and Consulting, LLC," "Authorizing Payment of Membership Dues for the Year 2023" and "Amending Resolution #463 dated July 13, 2022 titled, "Authorizing the New York State Office of Mental Health (NYSOMH) Workforce Grant Application and Acceptance." Ms. Gregory also discussed the New York State 1115 Waiver Health Equity Regional Organization (HEROs) Application with Commissioner John Redden and Public Health Director Jeff Sisson.

Mr. Sisson also discussed the resolutions, "Authorizing Contract with SanAir," "Authorizing Contract with Various Veterinary Offices" and "Authorizing Household Hazardous Waste State Assistance Program Grant Application." Mr. Sisson also spoke about the Director's Report for November and December, 2022, the Health Department Report for December, 2022 and January, 2023, the Community Health Assessment for years 2022 through 2024, the Winter Safety Guide for years 2022 and 2023, the Women, Infants and Children (WIC) Highlights and the fourth quarter Grant Report for 2022.

Resolutions #91 through #98 have been placed on the agenda as a result of the Committee's recommendation.

The next Health Committee meeting is tentatively scheduled for Wednesday, March 1st at 4:15 p.m.

Human Services Committee – Legislator Peryea

Legislator Peryea stated the Human Services Committee met on Tuesday, February 7th.

Darleen Collins, the Director of the Office for the Aging, was present to discuss the resolutions, "Amending Resolution #838 dated November 9, 2022 titled, "Authorizing Various Contracts for the Year 2023" and "Authorizing Payment of Membership Dues."

Wendie Bishop, the Nursing Home Administrator, was present to discuss the resolution, "Amending Resolution #840 dated November 9, 2022 titled, "Authorizing Various Contracts for the Year 2023."

Kevin LeBoeuf, the Director of the Veterans' Service Agency, was present to discuss monthly statistics for December, 2022 and to provide an update on the Dwyer Grant.

Resolutions #99 through #101 have been placed on the agenda as a result of the Committee's recommendation.

The next Human Services Committee meeting is tentatively scheduled for Tuesday, March 7th at 4:15 p.m.

Personnel Committee – Legislator Henry

Legislator Henry reported the Personnel Committee met on Monday, February 6th.

Resolutions #123 through #127, under Waive Rule 13.2, have been placed on the agenda upon the recommendation of the Committee. All other resolutions will be placed on the February 22nd Regular Session agenda.

The next Personnel Committee meeting is tentatively scheduled for Monday, March 6th at 5:00 p.m.

Plattsburgh International Airport Committee – Legislator Hall

Legislator Hall reported the Plattsburgh International Airport Committee has not met since the last Regular Session.

Resolutions #102 and #103 were polled and have been placed on the agenda.

The next Plattsburgh International Airport Committee meeting is tentatively scheduled for February 22nd at 4:00 p.m.

Public Safety Committee – County Administrator Michael Zurlo

Mr. Zurlo on behalf of Legislator Castine, reported the Public Safety Committee met on Monday,

February 6th.

Jami Rock, the Administrative Assistant at the Child Advocacy Center, was present to discuss several resolutions including, “Authorizing Adirondack Foundation Grant Application” and “Authorizing Cloudsplitter Foundation Grant Application and Acceptance.”

Dave Marcoux, the Probation Director, was in attendance to discuss the resolution, “Authorizing Payment of Membership Dues.”

Justin Meyer, the Administrator of Indigent Defense, was present to discuss Counsel at First Appearance and an Hourly Rate Increase.

Eric Day, the Director of Emergency Services, was present to discuss the resolutions, “Authorizing Ongoing Contract with Globalstar” and “Amending Resolution #778 dated October 12, 2022 titled, “Authorizing Payment of 2023 Membership Dues.” Mr. Day and Major Nicholas Leon of the Sheriff’s Department presented on Domestic Terrorism Prevention as requested by New York State Executive Order 18 of 2022.

Resolutions #104 through #113 have been placed on the agenda as a result of the Committee’s recommendation. Resolution #128, under Waive Rule 13.2, has also been placed on the agenda.

The next Public Safety Committee meeting is tentatively scheduled for Monday, March 6th at 4:00 p.m.

Transportation Committee – Legislator Kretser

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

Resolutions #114 through #117 were polled and have been placed on the agenda.

The next Transportation Committee meeting is tentatively scheduled for Monday, February 13th at 5:15 p.m.

LIAISON REPORTS

Board of Health – Legislator Potiker

Legislator Potiker reported the next Board of Health meeting is scheduled for Monday, February 20th and is open to the public.

Clinton Community College – Legislator Bezio

Legislator Bezio reported the next Board of Trustees meeting is scheduled for Tuesday, February 27th.

Intercounty of the Adirondacks – County Administrator Michael Zurlo

On behalf of Legislator Waldron, Mr. Zurlo stated the next Intercounty meeting will be held at the New York State Association of Counties Conference in Albany, New York.

STAFF REPORTS

County Attorney – Jacqueline Kelleher, Esq.

Ms. Kelleher requested an executive session to discuss matters relating to the sale of real property and potential litigation.

County Administrator – Michael Zurlo

Mr. Zurlo asked the Legislators to complete the State-mandated annual sexual harassment training by March 31st.

Chairpersons Report

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

Resolutions #73 through #118 were approved.

Resolution #119 titled, “Authorizing the County Treasurer to Adjust Appropriation and Corresponding Revenue for the Workforce Investment Act Grant” was motioned by Legislator Timmons and seconded by Legislator Bezio. Carried (8-0-1-1).

Discussion: Legislator Kretser abstained.

Resolutions #120 and #121 were approved.

Resolution #122 titled, “Calling on the State of New York to Continue to Pass-Thru Federal Affordable Care Act Enhanced Federal Medicaid Assistance Percentage (eFMAP) Funds” was motioned by Legislator Henry and seconded by Legislator Kretser. Carried (9-0-1).

Discussion: Mr. Zurlo stated this is one of the most negatively impactful policy decisions that we have seen as a result of an Executive Budget, it is very strange and is being proposed to be done administratively, so there is no budget language to outline this. Governor Kathy Hochul is counting those savings in her Fiscal Plan. To remind everyone, he stated this is federal money because of the Affordable Care Act, that Congress wanted a portion of it passed through to County governments. The State of New York is taking a position that is not required in the federal language and, as such, has decided to divert that money and no longer pass it through to County governments. The estimate from the New York State Association of Counties (NYSAC) is \$281 million for upstate Counties, if you include New York City, it is over \$600 million annually. Mr. Zurlo reported you also know that the State of New York’s fiscal year starts on April 1, 2023, so if this proposal passes as is, it will create a hole in the County’s budget because the County passed a budget assuming this federal Medicaid percentage was going to continue to get passed through the counties as Congress intended. Therefore, three-quarters of that \$2.2 million will be a hole in the County’s 2023 spending plan. NYSAC is fighting every day and working cordially with the Executive and the Division of Budget. NYSAC is seeking a global solution. We remain hopeful, if that global solution does not exist or does not come to fruition, the February Conference will be lively. He noted Chairperson Henry penned a letter to the Governor on Tuesday, February 7th. This resolution will be sent to the Governor, NYSAC, the Speaker of the Assembly, the Majority Leader of the Senate, the Congressional Delegation, who voted to send this money to County governments and our State elected representatives.

Legislator Hughes inquired if any federal representatives have made statements yet about this. Mr. Zurlo replied that they are aware and have made a few comments. However, we are trying to seek a global solution but give ourselves a little more time to see if there is a willingness on the governors' behalf and the Division of Budget's (DOB's) behalf to do that.

Legislator Hall inquired if other counties are doing the same. Mr. Zurlo replied yes. This is being done by every county whether it is a "republican or democratic" county. The County of Erie, the Governor's home county, is slated to lose between \$27-30 million annually. This is a non-partisan issue, this is a local government issue and everyone is standing in unanimity. Legislator Hall inquired what is the figure for Clinton County. Mr. Zurlo replied \$2.2 million annually going forward, \$1.7 million in the 2023 spending plan. Mr. Zurlo encouraged Legislators to educate themselves on this issue as this will be the main topic at the NYSAC Legislative Conference in February.

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

Resolutions #123 through #127 were approved.

Resolution #128 titled, "Authorizing Stipend for Off-Hour Counsel at First Appearance" was motioned by Legislator Castine, seconded by Legislator Hall. Carried (9-0-1).

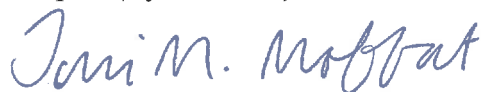
Discussion: Mr. Zurlo stated the County is mandated to provide after-hours counsel at First Appearance and there is a plan in place to do this, previously instituted, and essentially what this resolution does is allow the Public Defender's Office to do that work when the current arrangement doesn't fulfill the caseload.

Legislator Kretser motioned to enter into Executive Session at 5:53 p.m., seconded by Legislator Hughes. Carried (9-0-1).

Legislator Hall motioned to exit Executive Session at 6:02 p.m., seconded by Legislator Timmons. Carried (9-0-1).

There being no further business to come before the Legislature, Legislator Hughes motioned to adjourn the meeting at 6:02 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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