

COUNTY OF CLINTON)  
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STATE OF NEW YORK)

May 15, 2017

Stenographer's minutes of the Regular Session of the Clinton County Legislature held Wednesday, May 10, 2017 in the Legislative Chambers, 137 Margaret Street, Plattsburgh, New York.

PRESENT: Jonathan Beach, Area 2  
Simon Conroy, Area 4  
Mark Dame, Area 8  
Samuel Dyer, Area 3  
Robert Hall, Area 10  
Pete Keenan, Area 5  
Harry McManus, Chairperson, Area 1  
Christopher Rosenquest, Area 9  
Rob Timmons, Area 7  
Patty Waldron, Area 6

ALSO PRESENT: Michael Zurlo, County Administrator  
Rodney Brown, Deputy County Administrator  
James Coffey, Esq., County Attorney  
Melody Lemieux, Principal Stenographer

Chairperson McManus 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. All Legislators were present.

Legislator Dyer motioned to accept the minutes of the April 26, 2017 Regular Session, seconded by Legislator Hall. Carried (10-0-0).

Chairperson McManus asked if anyone present wished to address the Legislature. There being no one who wished to address the Legislature, Chairperson McManus moved on to Committee reports.

### **Buildings and Grounds Committee - Legislator Timmons**

Legislator Timmons reported the Buildings and Grounds Committee met earlier. Resolutions #343 through #345 have been placed on the agenda as a result of the Committee's recommendation.

The next Buildings and Grounds Committee meeting is scheduled for Wednesday, June 14<sup>th</sup> at 5:15 p.m.

### **Children and Family Services Committee - Legislator Waldron**

Legislator Waldron reported the Children and Family Services Committee meeting scheduled for Tuesday, May 2<sup>nd</sup> was cancelled due to the lack of agenda items. The Committee was polled on Resolution #346 on the agenda.

The next Children and Family Services Committee meeting is scheduled for Tuesday, June 6<sup>th</sup> at 6:15 p.m.

### **Economic Development and County Operations Committee - Legislator Rosenquest**

Legislator Rosenquest reported the Economic Development and County Operations Committee met Tuesday, May 9<sup>th</sup> and discussed the amount of work the CCIDA is currently working on, as well the number of Local Waterfront Revitalization Grants that are in play. The Committee discussed authorizing a contract with the Clinton County Capital Resource Corporation to increase their capacity to complete Local Waterfront Revitalization Program Grants. Resolution #388 has been placed under Waive Rule 13.2.

The next meeting is scheduled for Wednesday, June 14<sup>th</sup> at 6 p.m.

Rodney Brown, the Deputy County Administrator, reported Resolution #388 on the agenda will authorize the transfer of title of two small parcels of land at the former County Airport to the Town of Plattsburgh. The Town of Plattsburgh approved a subdivision for SUNY Poly for the parcel referred to as the Norsk parcel.

### **Finance Committee - Legislator Dame**

Legislator Dame reported the Finance Committee met Wednesday, May 3<sup>rd</sup> and discussed Resolution #347 which is on the agenda. Resolution #389 (under Waive Rule 13.2) will authorize a write off and chargeback of taxes in the Town of Mooers over a three-year period if the town and school district desires to do so.

The next Finance Committee meeting is scheduled for Wednesday, June 7<sup>th</sup> at 5:15 p.m.

### **Health Committee - Legislator Beach**

Legislator Beach reported the Health Committee met Tuesday, May 2<sup>nd</sup>. Resolutions #348 through #352 have been placed on the agenda as a result of the Committee's recommendation.

The next Health Committee meeting is scheduled for Tuesday, June 6<sup>th</sup> at 5:15 p.m.

### **Human Services Committee - Legislator Keenan**

Legislator Keenan reported the Human Services Committee meeting scheduled for Wednesday, May 3<sup>rd</sup> was cancelled. The Committee was polled on Resolutions #353 and #354 which are on the agenda.

The next Human Services Committee meeting is scheduled for Wednesday, June 7<sup>th</sup> at 6:15 p.m.

### **Personnel Committee - Legislator Dyer**

Legislator Dyer reported the Personnel Committee met on Monday, May 1<sup>st</sup>. There are twelve resolutions on the agenda as a result of the meeting. The creation of a part-time District Attorney Special Investigator position has been approved with the ability to hire up to a Grade 7, Step 8. The reallocation for the Addiction Counselor II position is part of the three-year plan to increase the salary of Addictions titles that were missed in the 2017 budget.

### **Plattsburgh International Airport Committee - Legislator Hall**

Legislator Hall reported the next Plattsburgh International Airport Committee meeting is scheduled for Wednesday, May 24<sup>th</sup> at 5:15 p.m.

### **Public Safety Committee - Legislator Conroy**

Legislator Conroy reported the Public Safety Committee met Monday, May 8<sup>th</sup>. Resolutions #367 through #372 have been placed on the agenda as a result of the Committee's recommendation.

The next meeting is scheduled for Monday, June 12<sup>th</sup> at 6:15 p.m.

## **Transportation Committee - Legislator Timmons**

Legislator Timmons reported the Transportation Committee met Monday, May 8<sup>th</sup>. Resolutions #373 through #377 have been placed on the agenda as a result of the Committee's recommendation.

James Bosley, the Planning Technician, continued the discussion regarding Paratransit services for CCPT.

The next meeting is scheduled for Monday, June 12<sup>th</sup> at 5:15 p.m.

## **Liaison Reports**

### **Board of Health – Legislator Beach**

Legislator Beach reported the Board of Health will meet Monday, May 15<sup>th</sup>.

### **Clinton Community College - Legislator Dame**

Legislator Dame reported Clinton Community College would be holding Commencement Friday, May 12<sup>th</sup> at 6 p.m.

### **Community Services – Legislator Conroy**

Legislator Conroy reported the annual meeting will be held Thursday, May 25<sup>th</sup> at 4:30 p.m. Assemblyman Billy Jones will be the guest speaker.

### **Cooperative Extension – Legislator Timmons**

Legislator Timmons reported the next meeting will be held Tuesday, May 16<sup>th</sup>.

### **Intercounty Legislative Committee of the Adirondacks – Legislator Waldron**

Legislator Waldron reported the Intercounty Legislative Committee of the Adirondacks met on Thursday, April 27<sup>th</sup> and toured the Chrystal Geyser Water Bottling Company in Johnston, New York. There are four spring wells that produce 150 gallons a minute.

### **Soil and Water – Legislators Dyer, Timmons**

Legislator Timmons reported the next meeting will be held Thursday, May 18<sup>th</sup>.

## **Workforce Development Board – Christopher Rosenquest**

Legislator Rosenquest reported the Workforce Development Board will meet Friday, May 19th.

### **Staff Reports**

The County Attorney and County Administrator did not have reports.

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

Resolutions #342 titled, “Appointing Acting County Attorney” was moved by Legislator Rosenquest and was seconded by Legislator Dame.

Discussion: Mr. Zurlo reported the Acting County Attorney (Justin Meyer) will appear on behalf of the County in limited Probation hearings when the County Attorneys are unavailable or when Department of Social Services Attorneys has conflicts. James Coffey, the County Attorney, stated that if someone doesn’t pay child support, they can be placed on Probation and if they miss a payment, they may be found in violation of Probation and be sent to Jail. Mr. Coffey and Gary Favro (the Assistant County Attorney) were unavailable. The Department of Social Services’ attorney felt it would be a conflict for a Social Services attorney to represent the Probationer. Mr. Meyer has done a lot of Persons in Need of Supervision (PINS) cases. Mr. Coffey spoke with Dave Marcoux, the Probation Director, and Mr. Marcoux stated there may be three cases that meet these criteria in any given year. Christine Peters, the Social Services Attorney, stated this was the first time in five years that she has seen such cases, and she felt this would be very infrequent. Mr. Meyer has agreed to take on this role.

Resolutions #343 through #363 were approved.

Resolution #364 titled, “Approving the Creation of a Permanent, Part-Time District Attorney Special Investigator Position” was moved by Legislator Dyer, seconded by Legislator Conroy.

Discussion: Legislator Dyer stated he did not agree with hiring at Step 8, he felt the person should be hired at Step 1. He stated he was in favor of the position, but does not feel the individual should be hired at Step 8. Legislator Dyer motioned to amend the resolution to change Step 8 to Step 1, seconded by Legislator Hall.

Legislator Rosenquest stated the individual that the District Attorney’s Office was looking at hiring had requested to come in at a certain pay level due to experience. Legislator Dame reported this was discussed at the Personnel Committee meeting, and the person coming on board is very experienced in investigating child abuse cases. He noted there is a similar resolution under Waive Rule 13.2 to hire an experienced Deputy Sheriff for a backfill. Legislator Dame stated that given the fact this person is very experienced, the District Attorney’s Office made their case that having someone investigating these sensitive matters is needed.

Legislator Dyer felt the County would be curtailing the job to a specific individual and setting a precedent by narrowing it down to a certain individual.

Legislator Waldron stated that issue had been questioned in committee. Richelle Gregory, the Director of the Child Advocacy Center, is extremely sensitive to this issue and wholeheartedly trusts this particular individual. She stated she does not have a problem hiring at Step 8 due to his experience.

Legislator Beach stated in the past, the Legislature has trusted their managers, and if the managers feel they have found someone that is capable, especially in this unique situation, he has no problem hiring at a higher step.

The motion by Legislator Dyer to amend the resolution to hire at Step 1 failed by a vote of 3 yes, 7 no's (Legislators Dyer, Hall and Keenan voted yes on the motion to amend). The resolution was adopted by a vote of 8-2-0. (Legislators Dyer and Hall voted no).

Resolutions #365 through #371 were approved.

Resolution #372 titled, "Authorizing Out-of-State Travel – District Attorney's Office" was moved by Legislator Conroy, seconded by Legislator Dame.

Discussion: Legislator Dame inquired which other department utilizes asset seizure funding. Mr. Zurlo replied the District Attorney's Office and Sheriff's Department. Legislator Dame asked how much discretion the Legislature has over these funds. Mr. Zurlo reported there is a County Policy that dictates how these funds can be utilized, and he stated he would provide a copy of the policy to Legislator Dame. Carried (10-0-0).

Resolutions #373 through #377 were approved.

Resolution #378 titled, "Authorizing the County Treasurer to Establish a Capital Project titled, "Upstate Airport Initiative Projects" was withdrawn.

Mr. Zurlo reported further information is required before the Resolution can be drafted.

Resolutions #379 through ##387 were approved.

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

Resolutions #388 through #390 were approved.

There being no further business, Legislator Rosenquest motioned to adjourn the meeting at 7:35 p.m., seconded by Legislator Timmons. Carried (10-0-0).

Respectfully submitted,

A handwritten signature in cursive script that reads "Melody Lemieux". The signature is written in black ink and is positioned above the printed name and title.

Melody Lemieux  
Principal Stenographer

:ML