

COUNTY OF CLINTON)  
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STATE OF NEW YORK)

May 19, 2014

Stenographer's minutes of the Regular Session of the Clinton County  
Legislature held Wednesday, May 14, 2014 in the Legislative Chambers, 137 Margaret  
Street, Plattsburgh, New York.

PRESENT: Jonathan Beach, Area 2  
Mark Dame, Area 8  
Samuel Dyer, Area 3, Chairperson  
John Gallagher, Area 9  
Robert Hall, Area 10  
Pete Keenan, Area 5  
James Langley, Jr., Area 7  
Harry McManus, Area 1  
Colin Read, Area 4  
Patty Waldron, Area 6

ALSO PRESENT: Michael Zurlo, County Administrator  
James Coffey, County Attorney  
Melody Lemieux, Principal Stenographer

Chairperson Dyer called the meeting to order at 7:03 p.m.

Following the pledge of allegiance to the flag, County Administrator Michael Zurlo conducted roll call. All Legislators were present.

Legislator Keenan motioned to accept the minutes of the April 23, 2014 Regular Session, seconded by Legislator Hall. (Carried 10-0-0).

Chairperson Dyer asked if anyone wished to address the Legislature.

Chairperson Dyer recognized John Jablonski, President of Clinton Community College. Mr. Jablonski stated Resolution #333 on the agenda would ratify the Collective Bargaining Agreement with one of the College's three collective bargaining groups. He stated he would be glad to answer any questions.

There being no one further to address the Legislature, Chairperson Dyer called for standing committee and liaison reports.

## **Committee Reports**

### **Buildings and Grounds Committee – Legislator Read**

Legislator Read reported the Buildings and Grounds Committee met earlier in the afternoon. The Committee is recommending the contract for architectural and engineering services be awarded to Architectural & Engineering Design Associates, P.C. of Plattsburgh (Resolution #324 on the agenda). Legislator Read stated the Committee was extremely pleased to have received bids from four local contractors. Any of the contractors would have done an outstanding job.

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

Legislator Waldron reported the Children and Family Services Committee meeting scheduled for Thursday, May 1<sup>st</sup> was cancelled. Resolutions #325 through #327 are included on the agenda as a result of a poll of the Committee.

The next meeting of the Children and Family Services Committee is scheduled for Thursday, June 5<sup>th</sup> at 6:15 p.m.

## **County Operations Committee – Legislator Read**

Legislator Read reported the Committee met earlier in the afternoon. Resolutions #328 and #329 have been placed on the agenda. John Zurlo, the County Clerk, updated the Committee on the County Clerk's electronic record keeping and the New York SAFE ACT. The Committee also reviewed the chargebacks to municipalities for election costs. Legislator Read stated upon research, the share of the various costs to run elections has been equally divided between the municipalities and the County over the last ten to fifteen years. The cost is roughly thirty percent to municipalities and seventy percent to the County. Legislator Read reported the County will re-run the analysis every couple of years.

## **Finance Committee – Legislator Dame**

Legislator Dame reported the Finance Committee met Wednesday, May 7<sup>th</sup> at 5:15 p.m. County Treasurer Kimberly Davis discussed sales tax revenue, tobacco settlement, occupancy tax, the *In Rem* Foreclosure process, the annual report and summary and the audit.

Three requests for Tobacco Settlement Funds were reviewed. At this point, the Committee agreed to fund the request from the Town of Champlain for its Recreational Trail. The Committee also discussed a request for mileage reimbursement for Clinton County's representative on the Adirondack Park Local Government Review Board. The County will also be soliciting a Request for Proposals (RFPs) for the County's Insurance Consultant.

Resolutions #330 through #334 are included on the agenda upon the recommendation of the Committee.

The next meeting is scheduled for Wednesday, June 4<sup>th</sup> at 5:15 p.m.

## **Health Committee – Legislator Beach**

Legislator Beach reported the Health Committee meeting scheduled for Thursday, May 8<sup>th</sup> was cancelled.

As a result of a poll of the Health Committee, Resolution #335 for Mental Health and Addiction Services and Resolutions #336 through #339 for the Health Department are included on the agenda.

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

### **Human Services Committee – Legislator Keenan**

Legislator Keenan reported the Human Services Committee met Wednesday, May 7<sup>th</sup> at 6 p.m. Crystal Carter, Director of the Office for the Aging, reviewed the Caregiver Resource Center Grant Status Report. She recently attended a meeting in Albany to advocate for Community Services for the Elderly (CSE) funding. Resolution #340 has been placed on the agenda upon the recommendation of the Committee.

Steve Bowman, Director of the Veterans’ Service Agency, reviewed the April, 2014 Monthly Reports of Contacts and Services. He discussed disability issues with local veterans and veterans who are being discharged from the military with an “Other than Honorable” character of discharge.

Wendie Bishop, the Nursing Home Administrator, discussed labor relations issues.

The next meeting is scheduled for Wednesday, June 4<sup>th</sup> at 6 p.m.

### **Personnel Committee – Legislator Gallagher**

Legislator Gallagher reported the Personnel Committee was polled on Resolutions #341 through #348 which are included on the agenda.

### **Public Safety Committee – Legislator Hall**

Legislator Hall reported the Public Safety Committee met Monday, May 12<sup>th</sup> at 5:15 p.m.

Resolution #350 is on the agenda for the Probation Department; Resolution #354 for the District Attorney’s Office; Resolutions #351 through #353 for Emergency Services; Resolutions #355 through #358 for the Sheriff’s Department and Resolution #359 for the Legislature/Assigned Counsel.

The next meeting is scheduled for Monday, June 9<sup>th</sup> at 6:15 p.m.

Mr. Zurlo reported Resolution #359 on the agenda will award the Request for Proposals (RFPs) for professional legal services to handle Family Court assignments. This resolution will authorize contracts with four attorneys to provide indigent defense in Family Court. (The County had previously contracted with three attorneys). Mr. Zurlo reported this should not result in an increased cost as the four contracts are at an amount lower than what the three contracts were previously and the three contracts were not handling the load of Family Court cases. The County was hiring attorneys outside of the three contracts to cover cases. Justin Meyer, the Administrator of Legal Defense of Indigent Defendants, recommended this method to ensure the County receives revenue from the New York State Office of Indigent Legal Defense. The County continues to improve this program.

### **Transportation Committee – Legislator McManus**

Legislator McManus reported the Transportation Committee did not meet in May. The Committee will be discussing the Clinton County Public Transit (CCPT) Program at the Monday, June 9<sup>th</sup> Transportation Committee meeting at 5:15 p.m. The Committee will be analyzing routes, costs of services and future projections. Legislator McManus encouraged all Legislators to attend.

## **Liaison Reports**

### **Chamber of Commerce – Legislator Read**

Legislator Read reported the Strategic Tourism Planning Committee is actively working on the historic walking tours and waterfront redevelopment. Legislator Read met with City of Plattsburgh Mayor, James Calnon, and Town of Plattsburgh Supervisor, Bernie Bassett, to discuss the County's participation in waterfront development.

### **Clinton Community College – Legislator Dame**

Legislator Dame reported Clinton Community College's commencement will be held Friday, May 16<sup>th</sup> at 6 p.m.

## **Community Services – Legislator Beach**

Legislator Beach reported the Community Services Board will meet Tuesday, May 27<sup>th</sup>.

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

Legislator Beach reported the Board of Health will meet Monday, May 19<sup>th</sup>.

## **Intercounty – Legislator Langley**

Legislator Langley reported the Intercounty Legislative Committee of the Adirondacks met Thursday, April 24<sup>th</sup> in Lewis County. The Committee was provided with a tour of the Adirondack International Speedway in Lowville, New York.

Steve Acquario, Executive Director and Mark LaVigne, Deputy Director of the New York State Association of Counties (NYSAC) provided the Legislative Update.

The Committee adopted a Resolution to ask the New York State Attorney General and the Federal Regulatory Commission to investigate the steep increases in electricity prices in New York State during the winter of 2013/2014.

Jennifer Jachym of SolarCity Corporation was present at the meeting. Governor Cuomo announced he is committing \$1 billion to incentivize the private sector to work with County Governments to invest in solar energy. As more municipalities sign on, less money will be available for each project. Solar panels can be placed in a remote location such as a field, decommissioned landfills, water treatment plants or in any open area that is not being utilized and as long as it is near a distribution line. Depending on cost effectiveness of the project and the current commodity rate, municipalities could see \$60,000 to \$160,000 in annual savings. Depending upon what the municipality assumes for the utility grid over 20 years, savings could be anywhere from \$3 million to \$4.5 million.

Ms. Jachym stated if municipalities were interested in solar, they could sign a Power Purchase Agreement. Municipalities do not own the system, SolarCity owns the system. The municipality would sign a contract to purchase the electricity that the system produces for a fixed term. The standard term is twenty years, but you can also sign up for ten or fifteen years as well. There is no capital investment required on the municipality's part. SolarCity builds the system, monitors the system remotely and maintains the system.

Ms. Jachym stated municipalities will have until late June or early July to talk to solar vendors. Municipalities could show SolarCity the proposed site, provide copies of current utility bills and within a week or so, SolarCity could provide the municipality with a projected cost savings. An engineer would be sent to look at the site. By late June or early July, municipalities would need to submit a Letter of Intent (LOI) which is non-binding and does not commit the municipality to a project. The municipality would then submit a funding request. Ms. Jachym stated this typically takes three months, and once the money is available, the municipality would need to sign a contract.

Legislator Langley reported he had the review completed and has sent copies of the County's New York State Electric and Gas (NYSEG) bills for review. There would be a potential savings of \$160,000 annually or \$4.9 million over the next 20 years. The west side of Plattsburgh International Airport would be a possible site as this is near a connection point, and there is approximately 16 acres of land. The next step in the process would be to meet with SolarCity's engineer to see if the site is worthwhile. Legislator Langley stated Warren County has already entered into a contract with SolarCity, and he will be contacting their County Administrator

The next meeting is scheduled for Thursday, May 22<sup>nd</sup> in Fulton County.

### **Soil and Water – Chairperson Dyer**

Chairperson Dyer reported the Soil and Water Conservation Board will meet Thursday, May 15<sup>th</sup>.

### **Supreme Court Library Board of Trustees – Legislator Dame**

Legislator Dame reported the Supreme Court Library Board of Trustees met Tuesday, May 13<sup>th</sup>. Supreme Court Justice John Lahtinen was extremely complimentary of James Cleveland, Superintendent of Buildings and Grounds, and the Buildings and Grounds staff for a fine job in maintaining the Oak Street facility.

## **Grievance Committee – Legislator Gallagher**

Legislator Gallagher reported a Grievance Committee meeting is scheduled for Wednesday, May 21<sup>st</sup> at 9 a.m.

## **Workforce Investment Board – Legislator Read**

Legislator Read reported the Workforce Investment Board met last week in Saranac Lake. The Workforce Investment Board will be requesting Clinton County to appoint another nominee to fill a vacancy on the Board.

## **Staff Reports**

### **County Attorney – James Coffey, Esq.**

County Attorney James Coffey requested an executive session for the purpose of discussing litigation matters regarding Turtle Island Trust and the Scott Geddes matter. Jaci Kelleher, Esq. will attend to discuss a matter regarding Jason Winters. Sheriff Favro and William Favreau, Esq. will be attending to discuss a matter regarding an Officer at the Clinton County Sheriff's Department.

### **County Administrator – Michael Zurlo**

Mr. Zurlo reported Ethics Disclosures are due in the Legislative Office by Thursday, May 15<sup>th</sup>.

Mr. Zurlo reported he, Legislators Langley, McManus and Keenan will be meeting with representatives of Casella Waste Management on Wednesday, May 21<sup>st</sup> at 9:30 a.m.

The following Resolutions were approved unless otherwise noted.

Resolution #320 was approved.

Resolution #321 titled, "Approving the Consolidation and Combination of the Clinton Correctional Facility and the Village of Dannemora Primary Registration District" was motioned by Legislators Waldron and Beach, seconded by Chairperson Dyer. Carried (10-0-0).



Discussion:

Mr. Zurlo stated this request came from the Town of Dannemora. Mr. Zurlo researched the issue, and State Law requires the County Legislature act on this request and send their approval to the New York State Department of Health.

Resolutions #322 through #334 were approved.

Resolution #335 titled, “Authorizing Contract with Govolution, LLC – Mental Health and Addiction Services” was offered by Legislator Beach, seconded by Legislator Gallagher. Carried (10-0-0).

Discussion: Mr. Zurlo stated this Resolution will allow individuals to utilize credit cards for transactions. Any person using this system will be notified prior to usage that an administrative fee would be borne by the user and not by the County.

Resolutions #336 through #350 were approved.

Resolution #351 titled, “Authorizing Local Emergency Management Performance Grant (LEMPG) Program Application and Acceptance for Federal Fiscal Year 2013 – Emergency Services” was offered by Legislator Hall, seconded by Legislator Gallagher. Carried (10-0-0).

Discussion: Mr. Zurlo noted this delay was not due to the County, it was a delay with the Federal Government.

Resolutions #352 through #374 were approved.

Resolution #375 titled, “Resolution Approving the Issuance of Certain Obligations by Clinton County Capital Resource Corporation to Finance a Certain Airport Project for Laurentian Aerospace Corporation” was offered by Legislator Langley, seconded by Chairperson Dyer. Carried (10-0-0).

Discussion: Mr. Zurlo stated this action is necessary to offer the bonds as tax exempt for the Capital Resource Corporation.

Chairperson Dyer asked if anyone had anything further to come before the Legislature this evening.

Chairperson Dyer entertained a motion from Legislator Gallagher to enter into Executive Session at 7:50 p.m. to discuss items as previously outlined by the County Attorney, seconded by Legislator Hall. Carried (10-0-0).

Chairperson Dyer entertained a motion from Legislator Gallagher to exit Executive Session and return to Regular Session at 8:34 p.m., seconded by Legislator Beach. Carried (10-0-0).

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

Resolutions #736 and #737 were approved.

There being no further business, Chairperson Dyer entertained a motion from Legislator Gallagher to adjourn Regular Session at 8:38 p.m., seconded by Legislator Keenan. Carried (Carried 10-0-0).

Respectfully submitted,



Melody Lemieux  
Principal Stenographer