

COUNTY OF CLINTON)  
):SS  
STATE OF NEW YORK)

September 17, 2012

Stenographer's minutes of the Regular Session of the Clinton County Legislature held Wednesday, September 12, 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  
Robert Heins, Area 10  
Pete Keenan, Area 5  
James Langley, Jr., Chairperson, Area 7  
Harry McManus, Area 1  
Sara Rowden, Deputy Chairperson, Area 4

ALSO PRESENT: Michael Zurlo, County Administrator  
William Favreau, County Attorney  
Melody Lemieux, Principal 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. All Legislators were present.

Legislator Dyer offered a motion to accept the minutes of the August 22<sup>nd</sup> Regular Session, seconded by Legislator Butler. (Carried 10-0-0).

Chairperson Langley asked if anyone present wished to address the Legislature.

Jake Nevatka, a student at SUNY Plattsburgh, questioned the considerations that went into the County's decision to sell its Home Health Care license. Mr. Zurlo stated he would be more than happy to sit down with Mr. Nevatka to discuss this process in detail and asked that he call the Legislative Office to make an appointment to meet with him.

Chairperson Langley asked if there was anyone else who wished to address the Legislature. There being no one further, Chairperson Langley called for standing committee and liaison reports.

## **Committee Reports**

### **Buildings and Grounds Committee – Samuel Dyer**

Legislator Dyer reported the Dumpster Enclosure Project at the Government Center Complex will be completed the week of September 17, 2012. The Highway Department's Fire Alarm System Project will begin Tuesday, September 18<sup>th</sup>.

### **County Operations Committee – Mark Dame**

Legislator Dame reported the County Operations Committee met Tuesday, September 4<sup>th</sup>. Board of Elections Commissioners' Susan Castine and Greg Campbell discussed proposed amendments to the Clinton County/Election Consolidation and Improvement Act of 2005 Chargeback Policy. This item is Resolution #674 on the agenda.

Legislator Dame reported Stacey Pratt, the County Historian discussed deaccessioning books. The Historian's Office has 241 books that have nothing to do with Clinton County history and in no way will reduce the County's collection. Ms. Pratt has been in contact with the County Purchasing Agent, and the only option the County has is to hold an auction by public sale. Ms. Pratt did valuations on the books and some are worth between \$1 and \$500. The Committee suggested that Ms. Pratt and Mr. Zurlo meet with the Purchasing Agent to discuss options. Mr. Zurlo will report back to the Committee.

Legislator Dame reported Resolution #675 will authorize payment of membership dues for the Real Property Office.

Legislator Dame reported County Clerk John Zurlo stated he and other County Clerks throughout New York State have joined the Favor Program which has been designed to assist veterans in obtaining discounts at local stores and establishments. Mr. Zurlo has been working with Steve Bowman, the Veterans' Service Agency Director, on this endeavor. Mr. Bowman has

contacted the Plattsburgh-North Country Chamber of Commerce to inquire if all establishments that honor the Chamber's Commerce Card would be willing to participate in this Program. Mr. Zurlo stated his office could produce the identification cards but would have to spend approximately \$1,500 on new software. Mr. Zurlo estimated that 500-800 cards could be generated during the first year. The Committee discussed how much the County Clerk should charge for the veterans' identification cards to cover the costs and decided \$7 per card would be a reasonable amount. Sufficient revenue would be generated to cover the cost of the necessary software and would provide a new revenue source as well. Mike Zurlo reported that the piece of software will be placed in the County Clerk's 2013 Budget request.

Mr. Zurlo reported due to an increase in competition for microfilming services, he was able to secure a decreased cost for microfilming services from the County's current company, COTT Systems, who has agreed to match another company's lower prices. The microfilming cost will go from about \$12,000 to \$6,000.

#### **Finance Committee – Sara Rowden**

Legislator Rowden reported the Finance Committee met at 5 p.m. prior to the Regular Session. Representatives from Lumsden and McCormick were present to give their Auditors Report which was very favorable. The Plattsburgh-North Country Chamber of Commerce also presented its Marketing Plan for 2013.

#### **Health Committee – Jonathan Beach**

Legislator Beach reported the Health Committee meeting scheduled for Thursday, September 6<sup>th</sup> was cancelled. The Committee was polled on Resolutions #678 through #684 which are included on the agenda.

#### **Human Services Committee – Pete Keenan**

Legislator Keenan reported the Human Services Committee scheduled for Tuesday, September 4<sup>th</sup> was cancelled. The Committee was polled on Resolutions #686 and #687 which are included pm the agenda.

#### **Personnel Committee – John Gallagher**

Legislator Gallagher reported the Personnel Committee did not meet. The Committee was polled on Resolutions #688 through #696 which are included on the agenda.

#### **Plattsburgh International Airport Committee – Robert Heins**

Legislator Heins reported the Plattsburgh International Airport Committee did not meet. There are two resolutions on the agenda regarding grant funding for Nose Dock #6 and bids for various equipment. The next meeting is scheduled for Wednesday, September 26<sup>th</sup> at 5:15 p.m.

## Public Safety Committee – Robert Butler

Legislator Butler reported the Public Safety Committee met Monday, September 10<sup>th</sup> at 4:45 p.m.

Andrew Wylie, District Attorney, presented Resolutions #703, #704, #711 and #713 which are included on the agenda as a result of the Committee's recommendation. Mr. Wylie discussed the possibility of the County adopting a Local Law to prohibit the sale and possession of synthetic Cannabinoids and other synthetic drugs designed, marketed or utilized for purposes of simulating the effect of illegal drugs or controlled substances. Resolution #704 on the agenda will authorize a public hearing on proposed Local Law #3 of 2012. Chairperson Langley asked if New York State law supercedes the County Law. Legislator Butler advised yes, he was correct. Chairperson Langley inquired if New York State has adopted a law. Mr. Zurlo reported the Governor's Office, through the New York State Department of Health, has passed a regulation banning these items so that law enforcement can go in and remove the items, and a fine could be attached. This would be a first step. The State has been talking about criminalizing these products as well, but has not yet passed any legislation at this time. County Attorney William Favreau stated other counties throughout New York State have adopted a similar law. Mr. Zurlo stated there is a possibility once the State adopts the law, ramifications will be greater or would supercede this Local Law.

Legislator Butler reported Eric Day, the Director of Emergency Services, presented Resolutions #699 through #702 which are included on the agenda as a result of the Committee's recommendation. The status of the Bookmobile was discussed. It was the consensus of the Committee to move forward on this issue. Mr. Day provided a cost-analysis to the Legislature.

The repurposing of the former Clinton-Essex-Franklin Library System Bookmobile is a worthy undertaking for the safety and security of the people of Clinton County. This vehicle, would be converted to be used as a Mobile Command Vehicle, would operate as an on-scene office, radio dispatch point, planning area and conference room. Each of these functions is critical to the successful outcome of any large scale incident. It is envisioned that this vehicle can be outfitted with radios in all bands with frequencies used by all of the primary first response and law enforcement agencies. These radios will allow for operators to build an accurate picture of an unfolding scene and also provide direction from a unified command group operating within. A portion of the vehicle will be converted into a simple conference area with tables and chairs, white boards and cork boards where decision makers can work to develop incident priorities, complete planning and resolve problems. Power outlets and a WiFi network would be provided for operation of laptop computers. These capabilities will greatly help to coordinate the response and recovery of any number of large scale incidents where Law Enforcement, Fire, EMS, Hazmat, Health and Municipal agencies need to work closely together.

One of the largest potentials there is today for an incident that could benefit greatly from a Mobile Command Vehicle is an incident involving an aircraft at the Plattsburgh International Airport. To date at PBG, numerous table top exercises and one full scale exercise with another planned for 2013 have been conducted to test plans and systems that have been developed. Several actual incidents to date have drawn the response of up to 9 or 10 Fire, EMS and Law Enforcement agencies, in addition to staff from the airlines, FBO and Airport Management and Operations. The unspeakable, a large scale crash incident, would draw countless other agencies over a number of hours and days. A well coordinated initial response could make the difference for the long haul and overall outcome of an incident.

The Clinton-Essex-Franklin Library System budgeted a total of \$1,800 per year for full service of both the prime mover and the generator engine three times per year. The estimated annual cost to the County, with average usage, is \$2,500 (\$1,500 for maintenance and upkeep and \$1,000 for insurance). Conversion and outfitting of the vehicle from its current bookmobile functionality to something suitable for a Mobile Command Vehicle would be completed using existing equipment/materials. For any components/materials that would need to be purchased, existing or future grant dollars, Asset Seizure funding, and potential corporate sponsorship funds would be utilized. The Office of Emergency Services understands this is a used vehicle and that there could be hidden problems and/or costs. Any major expenses going forward would have to be addressed on a case-by-case basis with determination of actual cost and availability of funds at that time, with the possible outcomes being repair and operation of the vehicle, or removal of the vehicle from service and declaring it surplus. Although the latter of the two outcomes is not desired, it is understood that in light of the economic, climate it may be the required.

Legislator Butler stated it is his hope that the County Legislature would endorse the acceptance of the Bookmobile.

Legislator Rowden inquired how it would be dealt with if an emergency or disaster were to occur in Essex or Franklin Counties. Legislator Butler replied he felt Clinton County would still offer assistance at an appropriate charge. Clinton County could accept the Federal Emergency Management Agency funding that they would be receiving.

Mr. Zurlo stated he has spoken with his colleagues and if Clinton County were to accept this vehicle, this would in no way single-out or harm Essex and Franklin Counties' contributions as a contract agency.

Legislators McManus and Beach stated they are very appreciative of all the time and effort Legislator Butler has put into this issue. Legislator Dame stated he is supportive but will monitor the cost of the acquisition.

Mr. Zurlo stated that in anticipation of tonight's discussion, a Resolution has been prepared and could be acted upon Waive Rule 13.2. Legislator Butler requested the Resolution be acted upon this evening.

#### **Transportation Committee – Harry McManus**

Legislator McManus reported the Transportation Committee meeting scheduled for Monday, September 10<sup>th</sup> was cancelled. The Committee was polled on Resolution #710 which is included on the agenda.

### **LIAISON REPORTS**

#### **Chamber of Commerce – Sara Rowden**

Legislator Rowden reported the Strategic Tourism Planning Committee will be meeting Friday, September 14<sup>th</sup>.

### **Cooperative Extension – Harry McManus**

Legislator McManus reminded Legislators that the Agricultural Tour will be held Friday, September 14<sup>th</sup>.

### **Board of Health – Jonathan Beach**

Legislator Beach reported the Board of Health met Monday, August 27<sup>th</sup>. The Board discussed defining medical records from a medical/legal standpoint. The Board also discussed adding an additional member to the Board of Health to broaden the horizon and provide more input to the Board.

Legislator Beach reported he and Mr. Zurlo had a conference call regarding the Town of Dannemora's Salt Contamination Issue. All involved parties provided a report. The most pressing issue at this time is winter storage for the tanker. This has been addressed multiple times with Town Supervisor Ves Pivetta. Currently, there is not sufficient room in the Town Garage for the tanker. Mr. Pivetta will investigate other alternatives. The County has applied for emergency funding, and letters have been sent to Senator Little and Assemblywoman Duprey requesting emergency funding to put up a structure to house the tanker so the water does not freeze. Legislator Rowden asked what the long-term solution to this situation was. Mr. Zurlo replied the State's engineering study has been completed; however, the study is still being reviewed by the Commissioner of the New York State Department of Transportation and has not been released to the public.

Mr. Zurlo stated the County is very close to completing the transfer of the Home Care License to HCR. The last item is being reviewed by the New York State Department of Health's counsel, and he is hoping for a complete closing by Monday, September 17<sup>th</sup>.

### **Lake Champlain/Lake George Regional Planning Board – Mark Dame**

Legislator Dame stated he has received some information regarding the Revolving Loan Fund. He is investigating how to make Revolving Loan Funding available to Clinton County entrepreneurs. He stated there are numerous businesses in Clinton County that could take advantage of this Fund.

### **Staff Reports**

County Attorney William Favreau reported a brief Executive Session would be required to discuss pending litigation.

Mr. Zurlo reported the annual Industrial Development Agency Dinner will be held September 17<sup>th</sup> at 6 p.m. On Wednesday September 19<sup>th</sup>, the Whole Base Transfer of the Former Plattsburgh Air Force Base Ceremony will be held at 1:30 p.m.

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

Resolutions #674 through #699 were approved.



Resolution #700 titled, "Authorizing Various Contracts for the Year 2013 – Emergency Services." The motion was offered by Chairperson Langley and seconded by Legislator Gallagher. Carried 9-0-0-1. Legislator Butler abstained.

Resolutions #701 through #709 were approved.

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

Resolutions #710 through #714 were approved.

Legislator Gallagher motioned to enter into Executive Session at 7:53 p.m. to discuss pending litigation, seconded by Legislator Dyer. Carried (10-0-0).

Legislator Gallagher motioned to exit Executive Session at 8:04 p.m., seconded by Legislator Heins. Carried (10-0-0).

Legislator Gallagher motioned to adjourn the meeting at 8:05 p.m., seconded by Legislator Rowden. Carried (10-0-0).

Respectfully submitted,



Melody Lemieux  
Principal Stenographer

:ML