

COUNTY OF CLINTON)
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STATE OF NEW YORK)

May 3, 2012

Stenographer's minutes of the Regular Session of the Clinton County Legislature held Wednesday, April 25, 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, Area 4

ALSO PRESENT: Michael Zurlo, County Administrator
Rodney Brown, Deputy County Administrator
William Favreau, County Attorney
Melody Lemieux, Principal Stenographer

Chairperson Langley 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 Butler offered a motion to accept the minutes of the April 11, 2012 Regular Session, seconded by Legislator Dyer. (Carried 10-0-0).

Chairperson Langley proclaimed the month of May, 2012 as Older Americans' Month and May 4, 2012 as Senior Celebration Day in Clinton County, New York.

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

Committee Reports

Buildings and Grounds Committee – Samuel Dyer

Legislator Dyer reported the Nursing Home's sprinkler system has been installed. Legislator Dyer will be scheduling a tour of all County buildings in the near future.

Children and Family Services Committee – Robert Heins

Legislator Heins reported the Foster Parent Dinner will be held Thursday, May 3rd at the Elks Club in Plattsburgh.

County Operations Committee – Mark Dame

Legislator Dame reported the next County Operations Committee meeting is scheduled for Tuesday, May 1st at 6:15 p.m.

Finance Committee – Sara Rowden

Legislator Rowden reported the next Finance Committee meeting was scheduled for Wednesday, May 2nd at 5:15 p.m.; however, the Treasurer and Deputy Treasurer will be out of town at the annual Finance School. Therefore, Legislator Rowden requested the Finance Committee meet at 5:15 p.m. prior to the 7:00 p.m. Regular Session on Wednesday, May 9th.

Health Committee – Jonathan Beach

Legislator Beach reported the Health Committee met Thursday, April 12th at 5:15 p.m. Satellite Mental Health clinics are being set up to increase the availability of Mental Health services throughout the County.

Darlene Eddy, Health Facility Comptroller, updated the Committee on the progress and transition of home care services from the County to HCR. All Legislators have received a copy of the 2012 Organizational Design documents for the National Accreditation for the Department of Health. This reflects changes as a result of the departure of the Home Health Care Program, as well as the Community Health Improvement Plan, which details the various strategies employed by the Department in all of its various programs.

Resolutions #296 through #300 have been included on the agenda as a result of the Committee's recommendation.

Mr. Zurlo stated that a Nurse, who is now an employee of HCR and was previously employed as a Nurse for the Clinton County Home Health Care Program, approached him and stated she was extremely pleased with the transition. Mr. Zurlo stated the sale of the home health care license was not an easy thing to do, but hearing those types of comments is reassuring.

Mr. Zurlo reported HCR will be relocating out of the County offices by May 3, 2012. He scanned each Legislator a copy of a letter that is being sent to the New York State Department of Health requesting an expedited review of the Certificate of Need Application. The quicker the license is formally transferred, the County's costs for the units of service to HCR are reduced.

Human Services Committee – Pete Keenan

Legislator Keenan reported the next Human Services Committee meeting is scheduled for Tuesday, May 1st at 5:15 p.m.

Personnel Committee – John Gallagher

Legislator Gallagher reported the Personnel Committee met Tuesday, April 17th at 5:15 p.m. The Committee reviewed 14 backfill requests. There are also three resolutions which need to be amended. The next meeting will be held Monday, June 4th at 5:15 p.m.

Plattsburgh International Airport – Robert Heins

Legislator Heins reported the Plattsburgh International Airport Committee met prior to Regular Session this evening. The County has new leases with Allegiant Air and Peninsula Airways, Inc. (one lease is for a hangar rental and the other is a lease for office space in the Terminal Building). Peninsula Airways, Inc. will begin flights to Boston, Massachusetts on Thursday, June 14th. Resolution #322 on the agenda will award the bid for the demolition of Hangar Building #2763 to Dan's Hauling & Demo, Inc. The County will make approximately \$22,000 on the demolition of this building, as well as have proceeds from the insurance claim.

Transportation Committee – Harry McManus

Legislator McManus reported Resolution #329 will amend Resolution #103 dated February 9, 2011. The United States Customs and Border Protection is constructing a new Port of Entry Facility on the Cannon Corners Road in the Town of Mooers. This required the County to give land to the Federal Government. The County had approved this to include a reverter clause which meant if the project was not completed, the land would revert back to the County. This is in violation of Federal regulations. Resolution #329 will remove the reverter clause.

Liaison Reports

Clinton Community College – Mark Dame

Legislator Dame reported graduation will be held Friday, May 18th. There will be approximately 300 graduates.

Cooperative Extension – Harry McManus

Legislator McManus reported Cooperative Extension met Tuesday, April 17th. Plattsburgh State University students are working on Cooperative Extension's website and will be launching a marketing campaign to advertise services and programs. Alexa King, 4H Educator, is collaborating on a Workforce Investment Board Plattsburgh Library Army Corps of Engineers Eval Stem System which coordinates Science, Technology, Engineering and Math in an attempt to obtain grant funding.

Board of Health – Jonathan Beach

Legislator Beach reported the Board of Health met Monday, April 16th. Representatives from HCR were present. There was a publicly-available Medicare comparison of the County's Home Care services versus HCR's services. In the past, the County had a re-admission rate of 41 percent; HCR stands at 22 percent. This will save a substantial amount of time and money.

Legislator Beach reported on the salt water contamination in the Town of Dannemora. He state that the water tanker is working very well. The sodium tests conducted on the homes showed sodium levels at one percent which is just under ocean quality. There are approximately 20 homes involved as opposed to the original 9 homes that were initially involved. Mr. Zurlo reported he spoke with the Region 5 Director at the New York State Department of Environmental Conservation (NYS DEC). Mr. Zurlo was assured the NYS DEC is taking this issue seriously and is working with the New York State Department of Transportation to address the problem.

InterCounty Legislative Committee – Mark Dame

Legislator Dame reported he attended the InterCounty Legislative Committee meeting in Lowville in Lewis County on Thursday, April 19th. Lewis County presented a resolution to petition New York State to raise the limit on what can be registered as an All-Terrain Vehicle from 1,000 pounds to 1,500 pounds. The next meeting will be held Thursday, May 17th in Fulton County.

Soil and Water Conservation – Samuel Dyer, Sara Rowden

Legislator Dyer reported Soil and Water met Thursday, April 19th. Agricultural assessments are being completed. A small tiling job in Champlain is being conducted. There are two farms that are in the process of trying to go organic: one dairy and one vegetable operation. Interviews for the new Technician will begin Thursday, April 26th.

Staff Reports

County Attorney William Favreau reported he would like to request an Executive Session to discuss four pending litigation matters.

Mr. Zurlo reported all Legislators have been provided with a copy of a letter from the Clinton-Essex-Franklin Library System regarding two vacancies that exist on the Board for Clinton County. Mr. Zurlo stated if Legislators have anyone interested in serving on the Board, to please let him know. Legislator Dame asked when the Clinton-Essex-Franklin (C-E-F) Library System Board meets. Mr. Zurlo replied he would obtain information from Ewa Jankowska, the Director of the C-E-F Library.

There being no further business, Chairperson Langley moved onto resolutions. The following resolutions were approved unless otherwise noted.

Resolutions #292 through #321 were approved.

Resolution #322 titled, "Awarding Bid to Dan's Hauling & Demo, Inc. for Demolition of Hangar Building #2763 Project" was moved by Legislator Heins; seconded by Legislator McManus. Discussion: Legislator Heins stated Dan's Hauling & Demo, Inc. was the second to lowest bidder. The low bidder failed to meet the bid specifications. Deputy County Administrator Rodney Brown reported it is anticipated the demolition of the hangar will be completed within 60 days. Carried (10-0-0).

Resolutions #323 through #327 were approved.

Resolution #328 titled, "Authorizing the Purchase of Two Police Sedans from Bids Completed by Ontario County" was moved by Legislator Butler; seconded by Legislator Gallagher. Discussion: Mr. Zurlo reported the two sedans were previously approved in the Sheriff's Department's 2012 Budget request. This will allow Clinton County to purchase off from Ontario County's contract in lieu of State Contract therefore saving time and money. Carried (10-0-0).

Resolutions #329 through #333 were approved.

Chairperson Langley asked if there was anything further to come before the Legislature. Legislator Dame inquired if the County or Town owned the portion of the Tom Miller Road outside the City limits where the speed limit is 55 miles per hour. Mr. Zurlo replied the County owns this portion of the Tom Miller Road. Legislator Dame stated he felt it was time to re-examine the speed limit due to increased development in this area. Mr. Zurlo replied he would be glad to begin discussions with Al Rascoe, the County Highway Superintendent, to lower the speed limit. Mr. Zurlo noted the final decision to lower the speed limit is ultimately made by the State of New York.

Legislator Gallagher motioned to enter into Executive Session at 7:50 p.m., seconded by Legislator Heins. Carried (10-0-0).

Legislator Gallagher motioned to exit Executive Session at 8:45 p.m., seconded by Legislator Heins. Carried (10-0-0).

Legislator Gallagher motioned to adjourn the meeting at 8:45 p.m., seconded by Legislator Heins. Carried (10-0-0).

Respectfully submitted,



Melody Lemieux
Principal Stenographer

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