

COUNTY OF CLINTON)
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STATE OF NEW YORK)

May 30, 2014

Stenographer's minutes of the Regular Session of the Clinton County Legislature held
Wednesday, May 28, 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
Colin Read, Area 4
Patty Waldron, Area 6

EXCUSED: Harry McManus, Area 1

ALSO PRESENT: Michael Zurlo, County Administrator
Rodney Brown, Deputy County Administrator
Gary Favro, Assistant County Attorney
Katherine Brown, Senior Stenographer

Chairperson Dyer called the meeting to order at 7:06 p.m.

Following the pledge of allegiance to the flag, County Administrator Michael Zurlo conducted roll call. Legislator McManus asked to be excused.

Legislator Hall motioned to accept the minutes of the May 14, 2014 Regular Session, seconded by Legislator Keenan. (Carried 9-0-1).

Chairperson Dyer asked if anyone wished to address the Legislature.

Chairperson Dyer recognized County Treasurer Kimberly Davis. Ms. Davis provided an update on the In Rem foreclosure process. She indicated as of the May 14th Regular Session, taxes on ten properties were paid - - one vacant parcel, one business and eight homes. Ms. Davis stated there has been some confusion as to the exact date the payment must be made by. The last day for payment is Friday, June 13th. The payment must be received in the Treasurer's Office by 5 p.m. Payment must be made by certified funds (bank check, cash or money order).

Legislator Hall stated the Legislature was told the foreclosure signs would go up on Thursday, May 22nd and Friday, May 23rd. Ms. Davis replied that is correct. He further stated that if you are a business owner and have until June 13th to pay your taxes and someone puts up a foreclosure sign on May 22nd or May 23rd, it may hurt your business even more, and possibly make it harder for the owner to come up with the funds. Legislator Hall asked why the foreclosure signs couldn't be put up on the last day the owner can pay. Ms. Davis replied there is nothing stating the owner cannot remove the sign; the auction company only has to put the sign up and take a photograph of it. She stated for some reason, people seem to pay attention when the sign goes in and to have ten properties redeemed in four days means people are paying attention. Ms. Davis further stated this is not meant to hurt or embarrass anyone; it is meant for action to be taken.

Legislator Dame stated when the Legislature tried to alter this policy, the problem the County had from the delinquent taxpayers was they said they didn't know anything about the foreclosure. They said they only knew about it when they saw the posted sign, but that was too late. Legislator Dame stated that is why the payment is due after the sign goes up.

Legislator Read stated the County has been developing a policy so that people can pay County bills by credit card with a surcharge. The County needs to find out ways to accommodate taxpayers. Ms. Davis replied if it is not a delinquent account, one can pay online or in the office with a credit card, and a 2.5 percent surcharge added. However, if it is a delinquent account, the web cannot charge penalties.

Chairperson Dyer asked how many properties will be foreclosed on. Ms. Davis replied there are 74 properties. He thanked Ms. Davis for keeping the Legislature informed regarding the foreclosure process. He indicated that he believes the foreclosure signs being posted prior to the last date for payment does make a big difference.

Ms. Davis stated she has paid attention to those coming in to pay, and they are not complaining when having to pay their 2014 taxes as well.

Chairperson Dyer recognized John Donohue, President of the Plattsburgh-Saranac Lake Building and Construction Trades Council. Mr. Donohue discussed several projects that have been awarded to companies from outside Clinton County. He asked if anything was added to the bid documents that he

had requested at a previous Regular Session regarding giving local contractors preference. Mr. Brown indicated the bids have not gone out yet. Mr. Zurlo stated his recollection is that language with local preference is not admissible. Should it be permissible, there is a willingness to do this.

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 next meeting of the Buildings and Grounds Committee is scheduled for Wednesday, June 11th at 5:15 p.m. Mr. Zurlo stated there has been considerable progress made in obtaining documents from the previous firm and there has been good discussions with the new firm.

Children and Family Services Committee – Legislator Waldron

Legislator Waldron reported the Children and Family Services Committee meeting scheduled for Thursday, June 5th will be cancelled due to lack of agenda items. Monthly statistics for the Department of Social Services will be provided to the Committee.

The Youth Board will meet Tuesday, June 3rd to discuss funding and entering into various contracts with contract agencies.

The next meeting of the Children and Family Services Committee is scheduled for Thursday, July 3rd at 6:15 p.m.

County Operations Committee – Legislator Read

Legislator Read reported Resolutions #379 and #387 are included on the agenda as a result of a poll conducted of the Committee. The next meeting of the County Operations Committee is scheduled for Wednesday, June 11th at 6 p.m.

Finance Committee – Legislator Dame

Legislator Dame reported the Finance Committee meeting scheduled for Wednesday, June 4th will be cancelled due to lack of agenda items. Information on the In Rem Foreclosure process and sales tax will be sent to the Committee.

The next meeting of the Finance Committee is scheduled for Wednesday, July 16th at 5:15 p.m. Clinton Community College will present its 2014-2015 budget request.

Health Committee – Legislator Beach

Legislator Beach reported the Health Committee meeting scheduled for Thursday, June 5th at 5:15 p.m. has been cancelled due to a lack of agenda items.

The next meeting of the Health Committee is scheduled for Thursday, July 3rd at 5:15 p.m.

Personnel Committee – Legislator Gallagher

Legislator Gallagher reported Resolution #380 is included on the agenda as a result of a poll of the Personnel Committee.

The next meeting of the Personnel Committee is scheduled for Monday, June 2nd at 5:15 p.m.

Plattsburgh International Airport Committee – Legislator Langley

Legislator Langley reported the Plattsburgh International Airport Committee met earlier this evening. Resolutions #381 through #383 are included on the agenda upon the Committee's recommendation.

Representatives from McFarland-Johnson, Inc. made a presentation which consisted of drawings for the Terminal Building Expansion Project.

A discussion took place regarding the purchase of a new de-icing vehicle for the Plattsburgh International Airport.

Legislator Langley reported a few weeks ago, he discussed the possibility of solar power at the Plattsburgh International Airport. He stated a potential site has been identified. Further discussion will be held regarding this issue.

A tour of the Plattsburgh International Airport for the Legislature is scheduled for Saturday, June 7th from 8 a.m. to 12 p.m.

Public Safety Committee – Legislator Hall

Legislator Hall reported the next meeting of the Public Safety Committee is scheduled for Monday, June 9th at 5:15 p.m.

Liaison Reports

Community Services – Legislator Beach

Legislator Beach reported the Community Services Board met Tuesday, May 27th. The Annual Report for the Community Services Board and 2014 – 2015 plans were discussed. The Committee met a potential candidate for the Director of Community Services position.

Intercounty – Legislator Langley

Legislator Langley reported the Intercounty Legislative Committee of the Adirondacks met on Thursday, May 22nd in Fulton County. The Planning Director for Fulton County gave a presentation on Fulton County's "Smart Water" initiative. A legislative update was provided by the New York State Association of Counties with regard to Intergovernmental Transfer (IGT) funding.

Legislator Langley stated he finds it interesting to see how other counties conduct business.

Soil and Water Conservation District – Legislator Read

Legislator Read reported the Soil and Water Conservation Board meeting scheduled for May was cancelled.

Grievance Committee – Legislator Gallagher

Legislator Gallagher reported a decision was rendered on a recent grievance hearing with regard to scheduling, and no violation to the contract existed.

Workforce Investment Board – Legislator Read

Legislator Read reported the next meeting of the Workforce Investment Board (WIB) is scheduled for Friday, June 13th at 8:30 a.m.

Staff Reports

Chairperson Dyer reported he attended a meeting of the Adirondack Park Local Government Review Board upon the invitation of Gerald Delaney who serves as the County's liaison on the Board. He stated he was very impressed with the work and workings of the Board. Chairperson Dyer stated there was a large following for the meeting. An open period to address the Board was held at the conclusion of the meeting. Chairperson Dyer stated it was very interesting to see a number of problems the Board deals with, as well as local governments. He was also intrigued to see that issues were not falling upon deaf ears. Chairperson Dyer stated the Governor is discovering that the Adirondack Park is huge, and is trying to bend when possible. Leilan Ulrich, the Chairperson of the Adirondack Park Agency, was also present for the meeting. Chairperson Dyer stated Ms. Ulrich is very dedicated, extremely knowledgeable and willing to listen. Chairperson Dyer provided material to the Legislature for their information.

The following Resolutions were approved unless otherwise noted.

Resolution #378 titled, "Opposing Clean Water Act Regulation Proposed by the Environmental Protection Agency and Army Corps of Engineers" was moved by Chairperson Dyer, seconded by Legislator Waldron.

Discussion:

Chairperson Dyer indicated similar resolutions have been passed by other municipalities regarding this issue. He stated the Clinton County Farm Bureau asked if he would bring this to the attention of the Legislature. Chairperson Dyer stated "navigable waterways" must be more accurately defined. Mr. Zurlo stated this resolution will, in no way, shrink the oversight of "navigable waterways." He further stated this is not an anti-environment resolution; it is an anti-regulation expansion resolution. Mr. Zurlo stated there has been little comment sought from local governments, municipalities or from those impacted by a rule change. Carried (9-0-1).

Resolutions #379 through #386 were approved.

Chairperson Dyer entertained a motion from Legislator Beach to Waive Rule 13.2, seconded by Legislator Hall. Carried (9-0-1).

Resolution #387 titled "Authorizing Application for Funding under the 2014 New York State Consolidated Funding Application Program – Planning Department" was offered by Legislator Read, seconded by Legislator Waldron.

Discussion:

Deputy County Administrator Rodney Brown reported The Development Corporation is seeking the County to apply for these funds as it is not eligible to apply. The Development Corporation will administer this grant as it has done in the past for three others. Mr. Brown stated Spencer ARL, a subsidiary of Nova Bus, has received funding in the past for training purposes. Spencer ARL has doubled its workforce and will move into another building. Carried (9-0-1).

Chairperson Dyer asked if anyone had anything further business to come before the Legislature this evening. There being no further business, Chairperson Dyer entertained a motion from Legislator Hall to adjourn Regular Session at 7:45 p.m., seconded by Legislator Keenan. Carried (9-0-1).

Respectfully submitted,



Katherine A. Brown
Senior Stenographer