

COUNTY OF CLINTON)
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STATE OF NEW YORK)

May 4, 2015

Stenographer's minutes of the Regular Session of the Clinton County Legislature held
Wednesday, April 22, 2015 in the Legislative Chambers, 137 Margaret Street, Plattsburgh, New York.

PRESENT: Jonathan Beach, Area 2
Mark Dame, Area 8
Samuel Dyer, Chairperson, Area 3
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 E. Zurlo, County Administrator
Rodney Brown, Deputy County Administrator
James Coffey, Esq., County Attorney
Jeanene Bell, Senior Stenographer

Chairperson Dyer called the meeting to order at 7:02 p.m.

Following the pledge of allegiance to the flag, County Administrator Michael Zurlo conducted roll call. Legislator Beach arrived at 7:05 p.m.

Legislator Gallagher motioned to accept the minutes of the April 8th Regular Session, seconded by Legislator Keenan. (Carried 9-0-1).

Chairperson Dyer asked if anyone wished to address the Legislature.

Kimberly Davis, the County Treasurer, reported property tax payments have to physically be in the Treasurer's Office by Thursday, April 23rd at 5 p.m. in order for property owners to redeem their properties due to unpaid taxes. Payment can be made by cash, cashier's check, postal money order or credit card. Ms. Davis reported there is a 2.5 percent processing fee for the use of a credit card. The owner of the credit card must be present at the Treasurer's Office with the credit card. Ms. Davis reported 92 properties were originally listed for unpaid taxes, and there are currently 58 properties listed. Legislator Gallagher asked the number of properties that are residences. Chairperson Dyer asked the number of residential properties that are vacant residences. At the end of the Regular Session, Ms. Davis reported there are 27 residences, 29 vacant parcels and 2 commercial properties listed for unpaid taxes.

Chairperson Dyer thanked Ms. Davis for her report. He thanked Joseph Lotemplio from the Press Republican for informative articles that have been published in the newspaper in regards to this issue.

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

Committee Reports

Buildings and Grounds Committee – Legislator Read

Mr. Zurlo reported the transition of the temporary entrance to the Human Services Center, as a result of the rehabilitation project, is going very well.

Children and Family Services Committee – Legislator Waldron

Legislator Waldron reported the next meeting of the Children and Family Services Committee is scheduled for Thursday, May 7th at 6:15 p.m.

County Operations Committee – Legislator Read

Legislator Read reported Resolutions #302 and #303 have been placed on the agenda upon the recommendation of the Committee.

Finance Committee – Legislator Dame

Legislator Dame reported the next Finance Committee meeting is scheduled for Wednesday, May 6th at 5:15 p.m. in which Tobacco Settlement requests will be reviewed. As requested at the Tuesday, April 7th Finance Committee meeting, Mr. Zurlo reported invitations were sent to individuals to present their proposals. It was indicated they should be prepared to answer questions on their proposals as they relate to the County policy. The request from the City of Plattsburgh was for the signage portion of the submission subject to an in-kind match on its proposal.

Health Committee – Legislator Beach

Legislator Beach reported the next meeting of the Health Committee is scheduled for Thursday, May 7th at 5:15 p.m.

Human Services Committee – Legislator Keenan

Legislator Keenan reported Resolution #265 is included on the agenda as a result of a poll of the Human Services Committee.

The next meeting of the Human Services Committee is scheduled for Wednesday, May 6th following the 5:15 p.m. Finance Committee meeting.

Personnel Committee – Legislator Gallagher

Legislator Gallagher reported the next meeting of the Personnel Committee is scheduled for Monday, May 4th at 5:15 p.m.

Plattsburgh International Airport Committee – Legislator Langley

Legislator Langley reported the Plattsburgh International Airport Committee met earlier today. Dave Hall, the Chief Executive Officer and President of PenAir, was present. There was discussion on PenAir hangar space and how the County could better accommodate their needs.

Legislator Langley reported Turner Bradford from McFarland-Johnson, Inc. provided an update on the Plattsburgh International Airport Expansion Project.

Legislator Langley reported Resolutions #267 through #269 have been placed on the agenda upon the recommendation of the Committee.

Chairperson Dyer thanked Legislator Langley, Deputy County Administrator Rodney Brown and Airport Manager Chris Kreig for overseeing the change orders for the Airport Expansion Project and keeping the Legislators updated via email.

Public Safety Committee – Legislator Hall

Legislator Hall reported the Public Safety Committee met Monday, April 13th.

Frank Mercier, the Traffic Safety Coordinator, presented Resolutions #270 and #279 which are included on the agenda for Traffic Safety, and Resolutions #277, #278 and #280 which are included on the agenda for the Sheriff's Department.

Richelle Gregory, the Executive Director of the Child Advocacy Center, presented Resolutions #272 through #274 which are included on the agenda. Resolutions #271 and #284 are included on the agenda for the District Attorney's Office.

Justin Meyer, the Administrator of Legal Defense of Indigent Defendants, presented Resolution #283 which is included on the agenda for Assigned Counsel.

Dave Marcoux, the Director of Probation/ATI, presented Resolutions #275 and #276 which are included on the agenda for the Probation Department.

Eric Day, the Director of Emergency Services, presented Resolutions #281 and #282 which are included on the agenda for Emergency Services.

The next meeting of the Public Safety Committee is scheduled for Monday, May 11th at 6:15 p.m.

Transportation Committee – Legislator McManus

The Transportation Committee met Monday, April 13th at 5:15 p.m.

The Committee reviewed and approved Resolutions #285 through #288 which are included on tonight's agenda.

Al Rascoe, the Clinton County Highway Superintendent, provided an update on the County's bridge funding history. Mr. Rascoe stated \$37 million in non-County funds have gone into the County's bridge program at a cost of \$1.4 million in County funds, or four percent. That figure includes projected projects through 2017. A total of fifty bridges have been replaced or rehabbed and represent over 50 percent of the entire bridge inventory.

Resolutions #289 through #291 included on tonight's agenda were reviewed and approved urging State and Federal representatives to support the safe transportation of hazardous materials, especially oil train cars, throughout New York State.

An update was provided on the Clinton County Public Transit System. Driver shortages and subsequent bus route changes were discussed along with concerns regarding the current operation of the bus system. Routes are being kept open for college students two times per day through college exams.

The next meeting of the Transportation Committee is scheduled for Monday, May 11th at 5:15 p.m.

Chairperson Dyer reported he attended a meeting at the Town of Beekmantown on Tuesday, April 21st, and the resolutions regarding oil train traffic passed unanimously. Legislator McManus reported many of the municipalities have passed the resolutions as well.

Liaison Reports

Chamber of Commerce – Legislator Read

Legislator Read reported he and Chairperson Dyer attended a Chamber of Commerce event at Nova Bus in Plattsburgh in which Senator Kirsten Gillibrand was present.

Board of Health – Legislator Beach

Legislator Beach reported the Board of Health met Monday, April 13th. There was a presentation regarding the Corporate Compliance review. He congratulated the Clinton County Health Department on celebrating its 60th year of service. Legislator Beach hopes New York State will provide more rabies drops to prevent rabies issues in the area.

InterCounty – Legislator Waldron

Legislator Waldron reported Clinton County will be hosting this month's Intercounty Legislative Committee of the Adirondacks meeting Thursday, April 23rd at The Champlain Wine Company, 30 City Hall Place, at 10 a.m. Legislator Read will provide a brief presentation before the meeting. Lunch will follow at 12:00 noon at The Ground Round.

LC/LG Regional Planning Board – Legislator Langley

Legislator Langley reported documents for the Lake Champlain/Lake George Regional Planning Board have been signed and returned for payment.

Soil and Water – Chairperson Dyer

Chairperson Dyer reported plastic bales throughout the County will be picked up at Clinton County farms and transported to Malone to be recycled into food-grade plastics.

Chairperson Dyer reported the District Technician at Soil and Water will be leaving his position. Soil and Water will be advertising for a replacement.

Grievance Committee – Legislator Gallagher

Legislator Gallagher reported the Grievance Committee met Wednesday, April 15th in which findings have been communicated to the appropriate parties.

Staff Reports

County Attorney James Coffey requested an Executive Session to discuss the Castine litigation, the Risetto litigation involving insurance settlement, Turtle Island, the work history of a particular employee, the proposed purchase of real property by Clinton County and the potential lease of real property owned by Clinton County to a third party.

Mr. Zurlo reported the Tax Freeze Efficiency Plan must be submitted by Monday, June 1st to the New York State Division of Budget in order to be compliant with the requirements under the Tax Freeze. Mr. Zurlo reported he and Legislator Read met with the Town Supervisors' Association and the Villages and requested the information be returned to Mr. Zurlo by Friday, May 1st. Email reminders have been sent to those who will be affected. This will afford taxpayers in the jurisdictions that are part of the submission a rebate from New York State.

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

Resolutions #265 through #268 were approved.

Resolution #269 titled, "Authorizing the Purchasing Agent to Solicit Bids to Purchase Self-Contained, Palletized Road/Airport Striping Unit – Plattsburgh International Airport"

Discussion: Mr. Zurlo reported the Self-Contained, Palletized Road/Airport Striping Unit was approved by the Legislature in the 2015 Plattsburgh International Airport budget. (Carried 10-0-0).

Resolutions #270 through #275 were approved.

Resolution #276 titled, “Adopting Clinton County Department of Probation/Alternatives to Incarceration Firearms Policy and Procedures – Probation Department”

Discussion: Legislator Dame noted he had not seen the Clinton County Department of Probation/ Alternatives to Incarceration Firearms Policy and Procedures since it was discussed previously. He reported he has the utmost respect for the Public Safety Committee; however, he cannot vote for or against the adoption of the Policy until he reads it.

Legislator Hall reported the Policy was reviewed by the Public Safety Committee more than once. After the Policy was originally brought to the Committee, it was returned to Dave Marcoux, the Probation Director, who reviewed it with the Civil Service Employees’ Association. Legislator Hall reported the Public Safety Committee is in agreement with the Policy. He agreed the Legislature should read the Policy. He feels the Policy is safe and is a necessity as Probation Officers do put their lives on the line in bad situations.

Legislator McManus asked if there was a downside to reading the Policy before the next meeting. Mr. Zurlo replied no. He stated the full Board should have the opportunity to read the entire Policy prior to voting.

Legislator Dame reported when agendas are received in the Friday mailing, backup to the resolutions is not always included. Mr. Zurlo reported the resolutions are posted on-line the Tuesday prior to a Regular Session. Backup information is not posted on-line. Mr. Zurlo reported future Policies will be provided to the Legislature.

Legislator Gallagher motioned to table the resolution, seconded by Legislator Dame. (Carried 10-0-0).

Resolutions #277 through #282 were approved.

Resolution #283 titled, “Authorizing the Purchasing Agent to Re-Solicit a Request for Proposals (RFPs) to Provide Legal Mentoring for the Clinton County Assigned Counsel Program – Assigned Counsel/Legislature”

Discussion: Mr. Zurlo reported the resolution authorizes the re-solicitation of bids to provide legal mentoring for the Clinton County Assigned Counsel Program due to a mix-up in the distribution of the Request for Proposals (RFPs) to the Clinton County Bar Association. (Carried 10-0-0).

Resolutions #284 through #287 were approved.

Resolution #288 titled, “Authorizing the County Treasurer to Increase Appropriation and Corresponding Revenue for the Consolidated Local Street and Highway Improvement Program (CHIPS) – Highway Department”

Discussion: Mr. Zurlo reported the resolution authorizes additional State funding for the 2015 Consolidated Local Street and Highway Improvement Program (CHIPS). (Carried 10-0-0).

Resolutions #289 through #300 were approved.

Resolution #301 titled, “Authorizing Payment from Judgments and Claims Account – Legislature”

Discussion: Mr. Zurlo reported an accident involving a Sheriff's Deputy, in the act of doing his job, brushed up against a truck through no fault of his own. Upon submission to the insurance carrier for reimbursement, a clause was discovered which stated that during the act of service, the County is not liable, and the claim would not be paid on the truck. Mr. Zurlo reported the County has a \$1,000 insurance deductible. The County would have paid \$1,000 had the insurance company paid the claim. The cost to repair the truck was \$1,213. He recommended the amount of \$1,213 be paid from the Judgments and Claims Account to pay for the repair to the truck. (Carried 10-0-0).

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

Resolution #302 titled, "Amending Resolution #155 dated March 11, 2015 titled, "Amending Resolution #880 dated November 25, 2014 titled, "Authorizing Contract with Symquest Group, Inc." and Resolution #128 dated February 25, 2015 titled, "Authorizing Contract Amendment with Symquest Group, Inc. – Legislature"

Discussion: Mr. Brown reported the resolution removes the maintenance obligation from U.S. Bank to Symquest Group, Inc. (Carried 10-0-0).

Resolution #303 titled, "Authorizing Contract with Symquest Group, Inc. – Legislature"

Discussion: Legislator Hall asked where Symquest Group, Inc. is located. Mr. Brown replied the headquarters is located in Burlington, Vermont. An office is located in Plattsburgh with a small staff. Legislator Hall asked if there was a way to conduct business with a company in Clinton County. Mr. Zurlo replied extensive RFPs were conducted. Mr. Brown reported Symquest Group, Inc. was the only company capable of providing managed print services. Legislator Langley reported there was a local vendor in Plattsburgh who was purchased by another company but were considered to not be local. Mr. Brown reported this company did not provide the necessary documentation for managed print services for the size of Clinton County.

Resolutions #304 and #305 were approved.

Resolution #306 titled, "Awarding Bids for Construction Rehabilitation of Nose Docks #4 and #5 – Customs and Border Protection Renovations Project – Plattsburgh International Airport"

Discussion: Mr. Zurlo reported bids are being funded by the Federal government. Clinton County is a pass-through entity between the Federal government and the contractor. Legislator Hall reported local companies have been awarded the contracts. (Carried 10-0-0).

Resolution #307 titled, "Authorizing the County Treasurer to Establish a Capital Project titled, "Construction Rehabilitation of Nose Docks #4 and #5 – Plattsburgh International Airport"

Discussion: Mr. Zurlo reported the resolution establishes a Capital Project for the aforementioned bid results. (Carried 10-0-0).

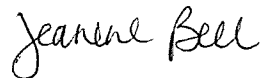
Legislator Hall motioned to enter into Executive Session at 7:45 p.m. to discuss the above-mentioned matters, seconded by Legislator Keenan. (Carried 10-0-0).

Legislator Gallagher motioned to exit Executive Session at 9:10 p.m., seconded by Legislator Dame. (Carried 10-0-0).

Resolutions #308 through #310 were approved.

There being no further business, Chairperson Dyer entertained a motion from Legislator Gallagher to adjourn Regular Session at 9:12 p.m., seconded by Legislator Hall. (Carried 10-0-0).

Respectfully submitted,

A handwritten signature in cursive script that reads "Jeanene Bell".

Jeanene Bell
Senior Stenographer