

COUNTY OF CLINTON)  
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STATE OF NEW YORK)

January 15, 2013

Stenographer's minutes of the Regular Session of the Clinton County Legislature held  
Wednesday, January 9, 2013 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  
Robert Heins, Area 10  
Pete Keenan, Area 5  
James Langley, Jr., Chairperson, Area 7  
Harry McManus, Area 1  
Sara Rowden, Area 4

EXCUSED: John Gallagher, Area 9

ALSO PRESENT: Michael Zurlo, County Administrator  
Rodney Brown, Deputy County Administrator  
William Favreau, County Attorney  
Katherine Brown, Senior Stenographer

Chairperson Langley called the meeting to order at 7:01 p.m.

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

Legislator Butler offered a motion to accept the minutes of the December 31, 2012 Regular Session, seconded by Legislator Beach. (Carried 9-0-1).

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

### **Committee Reports**

#### **County Operations Committee – Legislator Dame**

Legislator Dame reported Resolutions #11 through #13 are included on the agenda as a result of a poll of the County Operations Committee.

#### **Finance Committee – Legislator Rowden**

Mr. Zurlo reported the Finance Committee meeting scheduled for Wednesday, February 6<sup>th</sup> will be rescheduled. This is the return date for Legislators attending the New York Association of Counties (NYSAC) Legislative Conference in Albany from February 4-6, 2013.

#### **Health Committee – Legislator Beach**

Legislator Beach reported Resolution #16 is included on the agenda as a result of a poll of the Health Committee.

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

Legislator Heins reported the Plattsburgh International Airport Committee met this evening at 5:30 p.m. He thanked Highway Superintendent Al Rascoe, Deputy County Administrator Rodney Brown, Airport Manager Chris Kreig and Mr. Zurlo for their part in the discussion with regard to the preliminary proposal for the Parking Lot Expansion Project. Legislator Heins stated the preliminary proposal will increase the parking capacity to almost 3,300. The expansion will make it much easier to enter and exit the facility, as well as make it easier for snow removal. Mr. Zurlo stated with the Committee's recommendation, McFarland-Johnson, Inc. will prepare the bid documents for the design of this Project. Mr. Zurlo stated the parking lot expansion will not only provide additional space, but will allow for phasing during the construction process. McFarland-Johnson, Inc. plans to go out to bid by May, 2013.

#### **Public Safety Committee – Legislator Butler**

Legislator Butler discussed a public safety issue in the Town of Saranac and for the Saranac Central School. He stated in May, 2012, he attended a Transportation Committee meeting where the Safe Routes to School Program was discussed. With the assistance of Highway Superintendent Al Rascoe and Saranac Center School Superintendent Ken Cringle, a Federal grant application was submitted through the Highway Safety Improvement Program. Clinton County was awarded \$371,844 in funding. Work will commence on the "Saranac Central Multi-Use Bicycle and Pedestrian Pathway" in April, 2013, with scheduled completion by summer, 2014. Legislator Butler stated this is a tremendous

asset for both the Town of Saranac and the Saranac Central School, and he is proud to be part of it.

Legislator McManus congratulated Legislator Butler on the Grant award and project.

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

Legislator McManus reported he met with Clinton County Public Transportation (CCPT) Planning Technician James Bosley and Planning Director Rodney Brown to discuss regulations pertaining to the requirements of the Americans with Disabilities Act in Clinton County. Also discussed were the hours of operation for the Paratransit Service which must coincide with the hours of businesses in Clinton County. Legislator McManus discussed Paratransit Service trip denials which average one per month. He explained that a trip denial can be due to service scheduling problems and the need for the same service at the same time at opposite ends of the County. The limited number of vehicles to provide this service also plays a part in trip denials. Legislator McManus stated this issue should not affect any funding the County receives from the New York State Department of Transportation. He stated he is concerned about the number of people who use this service as it is much needed.

## **Liaison Reports**

### **Chamber of Commerce – Legislator Rowden**

Legislator Rowden reported the Strategic Planning Tourism Committee met Friday, January 4<sup>th</sup>. She stated the trade show season has begun and indicated the addition of Ontario, Canada as a new trade show location. She reported there is a lot going on with the Battle of Plattsburgh and the 1812 Bicentennial. Legislator Rowden also reported on “agro-tourism.” She stated the Chamber, in conjunction with Cornell Cooperative Extension, will bring together local chefs and local farmers on Wednesday, March 13<sup>th</sup> to discuss produce coordination and marketing for their benefit. Legislator Rowden reported a marketing impact study is currently being worked on which models Essex County’s. Legislator Rowden reported a retreat will be held as part of the Destination Master Plan on Saturday, April 13<sup>th</sup>. Additional information will be provided closer to the event. Legislator Rowden also reported that an “East Coast Snocross” is scheduled for January 12-13, 2013 at Airborne Park Speedway in Plattsburgh. Legislator Rowden reported on Sunday, June 9, 2013, the City of Plattsburgh will be hosting as a Premier Destination for “The Biggest Loser.” Over 1,000 participants are expected to participate in a Walk/Run Event.

### **Cooperative Extension – Legislator McManus**

Legislator McManus reported a meeting of the Cooperative Extension is scheduled for next week. Board member Michele Powers of the Plattsburgh-North Country Chamber of Commerce will initiate strategic planning with regard to agriculture, youth and family.

Legislator Rowden stated Ms. Powers remarked “agro-tourism” is the most energetic subcommittee; the farmers are very enthusiastic.

### **Intercounty - Legislator Dame**

Legislator Dame reported the next meeting of the Intercounty Legislative Committee of the Adirondacks is scheduled for Thursday, January 17, 2013 in Washington County.

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

Legislator Dame reported he has been contacted by various businesses regarding grant funding. He has provided the businesses with information regarding the necessary qualifications to apply for a grant.

## **Soil and Water – Legislator Dyer**

Legislator Dyer reported a meeting of the Soil and Water Conservation District is scheduled for Thursday, January 17, 2013.

## **Staff Reports**

County Attorney William Favreau stated he will answer any questions regarding Resolution #10 on the agenda titled, "Authorizing the Clerk of the Clinton County Legislature to Advertise for a Public Hearing on Local Law #1 of 2013 titled, "Establishing and Extending Date for Final Redemption of Delinquent Property Taxes." He further stated all Legislators have been provided with a copy of the Local Law this evening.

Mr. Zurlo referenced memoranda provided to each Legislator in their meeting packet. The first memo provides information regarding the 2013 New York State Association of Counties (NYSAC) Legislative Conference which will be held February 4-6 in Albany. He asked Legislators to contact Kathy Brown in the Legislative Office by Wednesday, January 16<sup>th</sup> if they plan to attend the conference. The second memo provides a list of 2013 Legislative Standing Committees, as well as 2013 tentative monthly legislative meeting calendars.

There being no further business, Chairperson Langley moved onto resolutions.

The following resolutions were approved unless otherwise noted.

Resolution #10 titled, "Authorizing the Clerk of the Clinton County Legislature to Advertise for a Public Hearing on Local Law #1 of 2013 titled, "Establishing and Extending Date for Final Redemption of Delinquent Property Taxes." Legislator Dame offered a motion to approve the resolution, seconded by Legislator Beach.

### **Discussion:**

Legislator Dame asked when the appropriate time would be, if necessary, to amend the Local Law. Mr. Favreau replied that it would depend on how significant the amendment. Mr. Zurlo stated the Public Hearing is for the Local Law which has been placed on Legislators' desks. In two weeks, a Public Hearing will be held and a Resolution to adopt the Local Law will be on the Regular Session agenda. After the Public Hearing, if there is a desire to change the Local Law as presented, this process would have to start over again. Mr. Favreau stated maybe we should have some discussion on the proposal now so that if any changes are agreed to, the process would not be delayed.

Legislator Dame stated the proposed Local Law does what he wanted it to do previously by making it possible for property owners to pay 45 days prior to the County auction. He stated, however, that he believes the cumulative interest and penalties totaling an estimated 40 percent is counterproductive. He further stated that he believes the Legislature should do everything in its power to accommodate these individuals. Legislator Dame stated having such a high penalty may prevent some of the individuals from paying when this Local Law is meant to help. He suggested there should be a small

penalty so individuals are not encouraged to not pay their taxes until they get to this point. Legislator Dame stated he would like to see the Local Law have a 5 percent penalty and not the current 15 percent.

Legislator Heins asked what the penalties are regarding charges, interest and fees owing at the time of sale. Mr. Favreau explained the penalties.

Legislator McManus asked if the 25 percent penalty would be on top of the 5 percent Legislator Dame suggested. Mr. Favreau stated that is correct.

Mr. Favreau stated that whatever form the Legislature moves forward with tonight, and if approved, if after the Public Hearing the Legislature wants to make material changes to the Local Law, there would still be time to have the Local Law in place by February, 2013. Mr. Zurlo noted the County Treasurer's concern that this Local Law happen by February, 2013.

Mr. Brown stated if this is the only issue the Legislators have regarding the Local Law, it could be resolved this evening.

Legislator Beach asked if there is a cost to the County if the property owner pays a lower percentage. Mr. Favreau replied the County will continue to have a cost for the required press releases, postings and mailings which pertain to the foreclosure process.

Chairperson Langley commented on how many people this Local Law would save – even if only a few; it would be a positive outcome. He noted, however, that property owners need to be aware they are required to pay their taxes.

Mr. Zurlo stated that once this becomes a Local Law, the Legislature will not have to pass a subsequent Local Law to amend it; it could be amended by a resolution which is part of the language in this Local Law.

Legislator Dame stated that based on this discussion, he would propose a 10 percent penalty. Legislator Dyer seconded the motion.

Legislator Butler stated he is in support of the 10 percent.

Mr. Zurlo reiterated that the 10 percent is not in the Resolution the Legislature will be passing this evening as that Resolution only allows for advertising the Public Hearing on the Local Law which now includes a penalty of 10 percent.

Chairperson Langley acknowledged Legislator Dame for his efforts in pursuing this issue.

Carried (9-0-1).

Resolutions #11 through #26 were approved.

Legislator Dyer offered a motion to Waive Rule 13.2, seconded by Legislator Heins. Carried (9-0-1).

Resolutions #27 and #28 were approved.


Chairperson Langley asked if there was any further business to come before the Board.

Legislator McManus requested confirmation of the cancellation of the Wednesday, January 23<sup>rd</sup>, Plattsburgh International Airport Committee meeting. Mr. Zurlo confirmed the meeting has been cancelled.

Legislator Dyer reported all Buildings and Grounds Committee meetings will be scheduled for the second Wednesday of each month at 5:15 p.m.

There being no further business, Chairperson Langley entertained a motion from Legislator Rowden to adjourn Regular Session at 7:47 p.m., seconded by Legislator Heins. Carried (9-0-1).

Respectfully submitted,



Katherine A. Brown  
Senior Stenographer