

COUNTY OF CLINTON)
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STATE OF NEW YORK)

March 10, 2017

Stenographer's minutes of the Regular Session of the Clinton County Legislature held
Wednesday, March 8, 2017 in the Legislative Chambers, 137 Margaret Street, Plattsburgh, New York.

PRESENT: Jonathan Beach, Area 2
Simon Conroy, Area 4
Mark Dame, Area 8
Samuel Dyer, Area 3
Robert Hall, Area 10
Pete Keenan, Area 5
Harry McManus, Chairperson, Area 1
Christopher Rosenquest, Area 9
Rob Timmons, Area 7
Patty Waldron, Area 6

ALSO PRESENT: Michael Zurlo, County Administrator
Rodney Brown, Deputy County Administrator
James Coffey, Esq., County Attorney
Jeanene Bell, Senior Stenographer

Chairperson McManus called the meeting to order at 7:04 p.m.

Following the pledge of allegiance to the flag, County Administrator Michael Zurlo conducted roll call. All Legislators were present.

Legislator Dyer motioned to accept the minutes of the February 22, 2017 Regular Session, seconded by Legislator Keenan. Carried (10-0-0).

Legislator Keenan presented the Off Track Betting (OTB) Scholarship Award to Nicolas Kiroy. Mr. Kiroy graduated from Plattsburgh High School and is currently attending Plattsburgh State University College.

Kathy Recchia, the Department of Environmental Conservation (DEC) Grant Coordinator for the Adirondack Lakes Center for the Arts, announced the Third Annual Adirondack Quad-County DEC Awards for Clinton, Essex, Franklin and Hamilton Counties. She invited all Legislators to attend the ceremony which will be held at Heaven Hill Farm in Lake Placid on May 7, 2017 at 2 p.m.

Kimberly Davis, the County Treasurer, updated the Legislature on the foreclosure process. She reported the judge was expected to sign the order today (which will begin the 45-day window). However, the case has been reassigned twice and is now reassigned to Judge Timothy Lawliss. Ms. Davis reported nothing will change should the order be signed by Friday, March 17th. After that date, the 45-day window will go into May, 2017, which means 2017 taxes would also need to be paid in addition to 2015 and 2016 taxes. Ms. Davis reported she sent a letter to Judge Lawliss explaining the timetable and how imperative it is that the order be signed by Friday, March 17th.

Legislator Hall asked County Attorney James Coffey how to prevent this from happening. Mr. Coffey replied he will contact Judge Lawliss if the order is not signed by Wednesday, March 15th.

Legislator Dame asked if the requirement of the third-year payment of taxes is a Clinton County or New York State law. Ms. Davis replied it is a New York State law. Legislator Dame stated this is unconscionable and counterproductive. He feels the timetables should not be set by New York State but locally by the Clinton County Legislature, Towns or Village as it deals with local property taxes.

Legislator Timmons asked if the third year's taxes need to be paid before Judge Lawliss signs the order. Mr. Zurlo replied Judge Lawliss needs to sign the order which would begin the 45-day period. The end of the 45-day period will then require payment of the three year's taxes.

Mr. Zurlo reported a concerted effort will be made to ensure the order will be signed.

Legislator Waldron asked if the Legislature can be notified when Judge Lawliss signs the order. Mr. Zurlo replied yes.

Ms. Davis reported within the last week, eight parcels were redeemed (five homes and three vacant properties). The County is now at 91 properties (7 commercial, 41 vacant and 43 residences).

There being no one further who wished to address the Legislature, Chairperson McManus moved on to Committee Reports.

Committee Reports

Buildings and Grounds – Legislator Timmons

Legislator Timmons reported the Buildings and Grounds Committee met earlier. There was discussion on the 130 Arizona Avenue Roof Ice Control Project which is going well. Resolutions #157 through #159 have been placed on the agenda upon the recommendation of the Committee.

The next Buildings and Grounds Committee meeting is scheduled for Wednesday, April 12th at 5:15 p.m.

Children and Family Services – Legislator Waldron

Legislator Waldron reported the Children and Family Services Committee was polled on Resolutions #160 and #161 which have been placed on the agenda upon the recommendation of the Committee.

The next Children and Family Services Committee meeting is scheduled for Tuesday, April 4th at 6:15 p.m.

Economic Development and County Operations – Legislator Rosenquest

Legislator Rosenquest reported the Economic Development and County Operations Committee met earlier. Anastasia Pratt, the County Historian, discussed the Historic Walking Trail Project. Melissa McManus, the Director of Economic Development, discussed grants and funding opportunities for small businesses. There was also discussion on an out-of-cycle request for Tobacco Settlement funding. Resolution #207 has been placed on the agenda upon the recommendation of the Committee.

Martine Gonyo, the Director of Real Property, reviewed Resolutions #162 through #164, and representatives from the Board of Elections reviewed Resolutions #165 and #166 which have been placed on the agenda upon the recommendation of the Committee

The next Economic Development and County Operations Committee meeting is scheduled for Wednesday, April 12th at 6 p.m.

Finance – Legislator Dame

Legislator Dame reported the Finance Committee met Wednesday, March 1st. Kimberly Davis, the County Treasurer, discussed sales tax, 2017 Town and County tax installments, the Correction of Errors report and In Rem Foreclosure. There was a presentation on an out-of-cycle Tobacco Settlement funding request.

Ray DiPasquale, the President of Clinton Community College, introduced himself to the Legislature and discussed Resolution #168 on the agenda for the critical mechanical equipment replacement in the Stafford Arts, Science and Technology Academic Building.

Resolutions #167 through #170 have been placed on the agenda upon the recommendation of the Committee.

The next Finance Committee meeting is scheduled for Wednesday, April 5th at 5:15 p.m.

Health – Legislator Beach

Legislator Beach reported the Health Committee met Tuesday, March 7th. Richelle Gregory, the Director of Community Services, reviewed Resolutions #171 and #172 which have been placed on the agenda upon the recommendation of the Committee.

John Kanoza, the Director/Engineer of Environmental Health, was present in the absence of Jerie Reid, the Public Health Director. There was discussion on the Director's Report for January, 2017 and the Health Department Report for February, 2017. Resolutions #173 through #180 have been placed on the agenda upon the recommendation of the Committee.

The next Health Committee meeting is scheduled for Tuesday, April 4th at 5:15 p.m.

Human Services – Legislator Keenan

Legislator Keenan reported the Human Services Committee meeting scheduled for Wednesday, March 1st was cancelled. The Committee was polled on Resolutions #181 through #185 which have been placed on the agenda.

The next Human Services Committee meeting is scheduled for Wednesday, April 5th at 6:15 p.m.

Personnel – Legislator Dyer

Legislator Dyer reported the Personnel Committee met Monday, March 6th. There were 16 items reviewed, and there are 16 resolutions on the agenda that reflect the Committee's recommendation. Legislator Dyer reported the item from Information Technology is being counted twice as two separate actions. He reported each item was thoroughly discussed.

Mr. Zurlo reported the item discussed from the Health Department is on the agenda in the form which was approved by the Personnel Committee (backfill of part-time Typist position).

Plattsburgh International Airport – Legislator Hall

Legislator Hall reported Clinton County hosted a meeting with the New York State Department of Transportation (NYSDOT) and the State's consulting engineers regarding the Airport Grant Award. DOT officials answered questions on the Grant Agreement and reiterated the importance of the timetable toward the Airport facility. Resolution #200 on the agenda will authorize the application and acceptance of this Airport Grant. Resolution #199 has also been placed on the agenda upon the recommendation of the Committee.

Legislator Hall reported NYSDOT and the State's consulting engineers toured the Airport and were very impressed. The representatives stressed the project needs to be complete by October 31, 2018. Legislator Hall reported it is important that bills received at the Airport are acted upon quickly and sent to the Treasurer's Office. Mr. Zurlo reported notification was just received that electronic reimbursement will be done so that money will be received from New York State electronically which will expedite the process.

The next Plattsburgh International Airport Committee meeting is scheduled for Wednesday, March 22nd at 5:15 p.m.

Public Safety – Legislator Conroy

Legislator Conroy reported the next Public Safety Committee meeting is scheduled for Monday, March 13th at 6:15 p.m.

Transportation Committee – Legislator Timmons

Legislator Timmons reported the next Transportation Committee meeting is scheduled for Monday, March 13th at 5:15 p.m.

Liaison Reports

Board of Health – Legislator Beach

Legislator Beach reported the Board of Health is scheduled to meet Monday, March 13th.

Chamber of Commerce – Legislator Rosenquest

Legislator Rosenquest reported the Strategic Tourism Planning Committee meeting scheduled for Friday, March 3rd was cancelled. The next meeting is scheduled for Friday, April 7th. The Destination Master Plan is included on the agenda (a three-hour retreat to re-visit and update the Destination Master Plan). Legislator Rosenquest will be sure information is emailed to the Legislature.

Clinton Community College – Legislator Rosenquest

Legislator Rosenquest reported he will be attending a breakfast scheduled for Thursday, March 9th with President Ray DiPasquale and the Search Committee.

Cooperative Extension – Legislator Timmons

Legislator Timmons reported Cooperative Extension is scheduled to meet Tuesday, March 14th.

InterCounty – Legislator Waldron

Legislator Waldron reported the InterCounty Legislative Committee met Thursday, February 23rd in Washington County. Katie Holcomb from New York State Association of Counties (NYSAC) discussed shared services. The Committee toured the Phantom Laboratory which is a global manufacturer of high-technology x-ray equipment used to detect cancer that normal CAT scans are unable to detect.

Chairperson McManus inquired if InterCounty had asked if Clinton County has a specific position on shared services meetings. Legislator Waldron replied InterCounty meetings consist of not only Legislators, but Town Supervisors who have strong opinions on shared services. The Town Supervisors would rather shared services be optional. Chairperson McManus reported the County will be required to participate in shared services should legislation be approved as it is now. Chairperson McManus reported he told Governor Andrew Cuomo that Clinton County will participate in shared services if there is an option.

Workforce Development Board – Legislator Rosenquest

Legislator Rosenquest reported the Workforce Development Board is scheduled to meet Friday, March 10th.

Staff Reports

County Attorney James Coffey did not have a report.

Mr. Zurlo did not have a report.

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

Resolutions #157 through #162 were approved.

Resolution #163 titled, “Requesting New York State Legislature to Enact Legislation for the Extension or Permanent Continuation of the Cold War Real Property Tax Exemption as Provided in RPTL Section 458-B – Real Property”

Discussion: Mr. Zurlo reported the New York State Legislature authorizes the Cold War Exemption for veterans. He reported the statute sunsets 10 years after its adoption. Clinton County has been allowing the exemption for 10 years. The resolution is seeking the State’s reauthorization of the exemption which needs to be authorized by State law.

Legislator Timmons asked if the Towns have the option of opting out. Mr. Zurlo replied this is a local option. Carried (10-0-0).

Resolutions #164 through #179 were approved.

Resolution #180 titled, “Authorizing the Purchasing Agent to Solicit Request for Proposals (RFPs) for Preschool Transportation Services – Health Department”

Discussion: Legislator Dame asked if this is the service First Transit, Inc. is providing. Mr. Zurlo replied yes. Legislator Dame asked where the services are advertised and if advertising can be done throughout a broader area to locate a provider. He reported revenue for preschool transportation services is substantial, and the overhead is not as substantial. Carried (10-0-0).

Resolutions #181 through #198 were approved.

Resolution #199 titled, “Authorizing Settlement Agreement with McFarland-Johnson, Inc. – Plattsburgh International Airport”

Discussion: Mr. Zurlo reported the resolution was previously tabled due to unanswered questions in regards to the drainage issue at the Airport. Legislator Hall reported drainage is working properly. Carried (10-0-0).

Resolutions #200 titled, "Authorizing New York State Department of Transportation Aviation Project Funding Grant Application and Acceptance – Plattsburgh International Airport"

Discussion: Mr. Zurlo reported the resolution needs to be amended to reflect updated dollar figures.

Legislator Hall motioned to amend the resolution to include the updated dollar figures of \$38,045,500 grant revenue and \$4,830,000 approximate County share, seconded by Legislator Dyer. Carried (10-0-0).

Mr. Zurlo recognized the Grant Committee for their work in contemplation of the award. Chairperson McManus reported the Legislature acted proactively when the announcement was delivered. Carried (10-0-0).

Resolutions #201 through #203 were approved.

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

Resolutions #204 through #206 were approved.

Resolution #207 titled, "Authorizing the County Treasurer to Appropriate and Transfer Funding from the Tobacco Reserve Fund – Treasurer's Office"

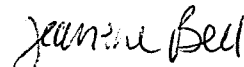
Discussion: Legislator Rosenquest asked what happens should the match not occur. Mr. Zurlo replied the resolution authorizes the appropriation be contingent upon receipt of dollar-for-dollar matching funds up to \$4,500.

Chairperson McManus asked if there was anything further to come before the Legislature.

Legislator Dyer asked for an update regarding the assessment at Champlain Centre North. Mr. Coffey replied he did not have an update. Legislator Dyer asked if there is retroactive interest and penalties. Mr. Coffey replied yes, if a favorable decision is made for Champlain Centre North.

There being no further business, Legislator Dyer motioned to adjourn the meeting at 7:55 p.m., seconded by Legislator Timmons. Carried (10-0-0).

Respectfully submitted,



Jeanene Bell
Senior Stenographer