

COUNTY OF CLINTON)

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STATE OF NEW YORK)

October 2, 2012

Stenographer's minutes of the Regular Session of the Clinton County Legislature held Wednesday, September 26, 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 E. Zurlo, County Administrator  
Rodney Brown, Deputy County Administrator  
William Favreau, County Attorney  
Jeanene Bell, Senior Stenographer

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

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

Legislator Dyer offered a motion to accept the minutes of the September 12, 2012 Regular Session, seconded by Legislator Keenan. (Carried 10-0-0).

Legislator McManus motioned to open a public hearing at 7:02 p.m. regarding a Local Law titled, "Adopting Local Law #3 of 2012 titled, "A Local Law to Prohibit the Sale and Possession of Synthetic Cannabinoids and Other Synthetic Drugs Designed, Marketed, or Utilized for Purposes of Simulating the Effect of Illegal Drugs or Controlled Substances." The motion was seconded by Legislator Butler. Mr. Zurlo read the Notice of Public Hearing. There was no one present to address the board regarding the Local Law. Legislator Gallagher motioned to close the public hearing at 7:03 p.m., seconded by Legislator Dyer. (Carried 10-0-0).

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**

#### **Buildings and Grounds Committee – Legislator Dyer**

Legislator Dyer reported the next meeting of the Buildings and Grounds Committee is scheduled for Thursday, October 11<sup>th</sup> at 5:15 p.m.

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

Legislator Dame reported the next meeting of the County Operations Committee is scheduled for Tuesday, October 2<sup>nd</sup> at 6:15 p.m.

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

Legislator Rowden reported the Finance Committee meeting scheduled for Wednesday, October 3<sup>rd</sup> at 5:15 p.m. has been cancelled. Mr. Zurlo stated that statistics from the Treasurer's Office will be forwarded to the Finance Committee.

#### **Health Committee – Legislator Rowden**

Legislator Rowden reported the Health Committee meeting scheduled for Thursday, October 4<sup>th</sup> at 5:15 p.m. has been cancelled. Draft resolutions will be polled Friday, October 5<sup>th</sup> for the Wednesday, October 10<sup>th</sup> Regular Session.

#### **Human Services Committee – Legislator Keenan**

Legislator Keenan reported the Human Services Committee meeting scheduled for Tuesday, October 2<sup>nd</sup> at 5:15 p.m. has been cancelled. Draft resolutions will be polled on Friday, October 5<sup>th</sup> for the Wednesday, October 10<sup>th</sup> Regular Session.

### **Personnel Committee – Legislator Gallagher**

Legislator Gallagher reported the Personnel Committee will meet Monday, October 1<sup>st</sup> at 5:15 p.m.

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

Legislator Heins reported effective December 19<sup>th</sup>, Allegiant Airlines will begin providing two direct flights per week to Las Vegas, Nevada. Plattsburgh International Airport will be the only airport north of Albany to offer direct flights to Las Vegas. Aircraft to be used are Boeing 757s.

Legislator Heins reported on a renewed lease with the Department of Homeland Security in the yearly amount of \$462,000. Federal Aviation Administration (FAA) grants have been accepted; one in the amount of \$3,871,000 for the Passenger Terminal Expansion Design Project and the other in the amount \$151,000 for the Design for Resealing the Runways. Legislator Heins also reported on the Design Phase for Utilities and Water/Wastewater Improvements in the amount of \$3,400,000.

Legislator Heins reported on the demolition of the Pratt & Whitney hangar being 25 percent completed. The target date of completion is October 4, 2012.

Legislator Heins reported Resolutions #717 through #725 have been placed on the agenda as a result of the Committee's recommendation.

The next Plattsburgh International Airport Committee meeting is scheduled for Wednesday, October 24<sup>th</sup> at 5:15 p.m.

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

Legislator Butler reported he is awaiting a decision from the Clinton-Essex-Franklin Library System in regards to the transfer of ownership of the Bookmobile to Clinton County.

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

Legislator McManus reported the Highway Department Report is included in Legislators' packets.

## **Liaison Reports**

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

Legislator Rowden reported Michele Powers of the Plattsburgh-North Country Chamber of Commerce has contacted Town Supervisors in regards to the Destination Master Plan.

### **Clinton Community College – Legislator Dame**

Mr. Zurlo reported that Clinton Community College, New York State Energy Research and Development Agency (NYSERDA) and General Electric (GE) will be holding a Press Conference to announce a significant in-kind gift from GE and workforce development equipment funding from NYSERDA for Clinton Community College's Wind Energy and Turbine

Technology Program. All Legislators are invited to the Press Conference which will be held Thursday, September 27, 2012 at 10 a.m. in the Stafford Building Atrium at Clinton Community College.

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

Legislator McManus reported the Cooperative Extension will use part of its fund balance to supplement its budget and is hopeful that Clinton County will provide the corresponding funds needed. The Agricultural Tour was a success.

#### **Board of Health – Legislator Beach**

Mr. Zurlo reported the final closing between Clinton County and Health Care of Rochester (HCR) will take place Thursday, September 28<sup>th</sup>.

#### **InterCounty Legislative Committee of the Adirondacks – Legislator Dame**

Legislator Dame reported the InterCounty Legislative Committee of the Adirondacks will hold its October meeting in Clinton County on Thursday, October 18<sup>th</sup> at 10:30 a.m. Additional information regarding the meeting will be provided at the October 10<sup>th</sup> Regular Session. Legislator Dame encouraged all Legislators to attend.

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

Legislator Dyer reported Soil and Water met Thursday, September 20<sup>th</sup>. They have been very busy with the plastic bailers and tile projects. An engineer is now on duty in the office and, as a result, eight projects have been completed in one month (there were no projects completed in the past 12 months). Sarah Fitzwater, District Conservationist, has completed the wetlands training course.

#### **Staff Reports**

County Attorney William Favreau stated he had no report.

Mr. Zurlo requested an Executive Session to discuss a matter of collective negotiations.

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

Resolutions #715 titled, "Adopting Local Law #3 of 2012 titled, "A Local Law to Prohibit the Sale and Possession of Synthetic Cannabinoids and Other Synthetic Drugs Designed, Marketed, or Utilized for Purposes of Simulating the Effect of Illegal Drugs or Controlled Substances."

Discussion: District Attorney Andrew Wylie stated notices have been sent by the New York State Attorney General's Office and the Health Department to establishments who have been known to sell these types of substances. Clinton County is adopting this Local Law because New York State has not yet done so on a felony level. A number of establishments would rather receive a fine because the amount of money being made far exceeds the fine that could be imposed. Imposing a jail sentence for possession may encourage establishments to remove these substances from their shelves.

Mr. Wylie stated it would be naïve for an establishment to not know they are selling a product that would otherwise be legal and have a different purpose.

Sheriff David Favro reported on the increased cost to taxpayers as a result of those being incarcerated in the Clinton County Jail and being brought to CVPH Medical Center for medical attention. The Sheriff stated the biggest fear of synthetic drugs is that it is not known what affect the drugs will have on the human body and how this will affect society as a whole.

Legislator Butler stated the impact of using these drugs is well known, and establishments that carry and sell these substances should be embarrassed.

Legislator Gallagher stated the use of synthetic drugs has created severe reactions to students in Grades 6, 7 and 8.

Legislator Rowden stated she was contacted by a psychiatrist who spoke to her about the number of people being admitted into the hospital with severe reactions from synthetic drug use. The reaction to the drugs created from one individual to another is unknown and may carry long-term effects.

Legislator Heins asked the reason New York State is taking so long to pass a law against synthetic drugs. Mr. Wylie stated the public needs to talk to Assemblywoman Duprey and Senator Little who are advocating for the adoption of a law.

Mr. Wylie stated this issue is impacting the rural areas more than New York City because the cost is less in the rural areas.

Resolutions #716 through #724 were approved.

Resolution #725 titled, "Authorizing Water/Wastewater Improvements Phase I Design and Construction Project Federal Grant Acceptance"

Discussion: Mr. Zurlo reported the Federal share is 90 percent and the local share is split between New York State and the local sponsor at five percent each. (Carried 10-0-0).

Resolutions #726 through #731 were approved.

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

Resolutions #732 and #733 were approved.

Legislator Gallagher motioned to enter Executive Session at 7:30 p.m., seconded by Legislator Heins. (Carried 10-0-0).

Resolution #734 titled, "Authorizing the Chairperson to Execute a Memorandum of Agreement By and Between the County of Clinton and Clinton County Sheriff and Clinton County Deputy Sheriff's Police Benevolent Association (PBA), Inc."

Legislator Gallagher motioned to place a resolution on the agenda of the September 26<sup>th</sup> Regular Session, seconded by Legislator Butler. (Carried 9-1-0, Mr. Dame voted no).

Legislator McManus motioned to exit Executive Session at 8:42 p.m., seconded by Legislator Heins. (Carried 10-0-0).

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

There being no further business, Chairperson Langley entertained a motion from Legislator Gallagher to adjourn Regular Session at 8:48 p.m., seconded by Legislator Butler. Carried (10-0-0).

Respectfully submitted,

*Jeanene Bell*

Jeanene Bell  
Senior Stenographer