

COUNTY OF CLINTON)  
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STATE OF NEW YORK)

December 18, 2016

Stenographer's minutes of the Regular Session of the Clinton County Legislature held Wednesday, December 14, 2016 in the Legislative Chambers, 137 Margaret Street, Plattsburgh, New York.

PRESENT: Mark Dame, Area 8  
Jonathan Beach, Area 2  
Simon Conroy, Area 4  
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 7:00 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 November 21, 2016 Regular Session, seconded by Legislator Keenan. Carried (10-0-0).

Four employees were honored with plaques to commemorate thirty years of service to Clinton County. David Jock, Senior Patrol Officer at the Plattsburgh International Airport, was presented with a plaque from Legislator Keenan; Larry Lafaive, Emergency Communications Dispatcher at Emergency Services, was presented a plaque from Legislator Dyer; Robert Landolfi, Emergency Communication Dispatcher at Emergency Services, was presented with a plaque from Legislator Dame; and Frank Mercier, retired STOP-DWI Coordinator at the Sheriff's Department, was presented with a plaque from Legislator Hall.

There being no one 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 and discussed the Master Plans. James Cleveland, the Superintendent of Buildings and Grounds, provided an update of the past and current Master Plan projects.

#### **Children and Family Services – Legislator Waldron**

Legislator Waldron reported the Children and Family Services Committee meeting scheduled for Thursday, December 1<sup>st</sup> was cancelled. Resolution #897 has been placed on the agenda upon the recommendation of the Committee.

#### **Economic Development and County Operations – Legislator Rosenquest**

Legislator Rosenquest reported the Economic Development and County Operations Committee met earlier.

Melissa McManus, the Director of Economic Development, provided updates on the Regional Economic Development Council and the Clinton County Industrial Development Agency. She reported Clinton County was awarded a \$1.43 million grant in this round of CFAs. She discussed a travel request for the New York State Economic Development Council and Industrial Development Agency Section Meeting scheduled for January 17-19, 2017 in Albany.

Resolutions #898 through #903 have been placed on the agenda upon the recommendation of the Committee.

### **Finance – Legislator Dame**

Legislator Dame reported the Finance Committee met Wednesday, December 7<sup>th</sup>. He reported the public hearing was held on the 2017 County Budget, and Resolution #895 adopts the 2017 Budget.

Resolutions #904 through #909 were polled and have been placed on the agenda upon the recommendation of the Committee.

### **Health – Legislator Beach**

Legislator Beach reported the Health Committee meeting scheduled for Thursday, December 1<sup>st</sup> was cancelled.

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

Legislator Keenan reported the Human Services Committee met Wednesday, December 7<sup>th</sup>.

Steve Bowman, the Director of the Veterans' Service Agency, discussed monthly statistics and the geographic distribution of VA expenditures for fiscal year 2015. Wendie Bishop, the Nursing Home Administrator, was present. Resolutions #914 and #915 have been placed on the agenda upon the recommendation of the Committee. Crystal Carter, the Director of Office for the Aging, was present. Resolutions #916 through #922 have been placed on the agenda upon the recommendation of the Committee.

### **Personnel – Legislator Dyer**

Legislator Dyer reported the Personnel Committee met Monday, December 5<sup>th</sup>. He reported 10 items were reviewed, and there are 10 resolutions on the agenda that reflect the Committee's recommendation. All positions fell within the criteria designated by the Finance Committee: 1) revenue producing positions; 2) necessary for public safety; and 3) 100 percent grant-funded positions.

### **Plattsburgh International Airport – Legislator Hall**

Legislator Hall reported Resolution #935 has been placed on the agenda upon the recommendation of the Committee. The resolution will authorize the sale of property at the former Clinton County Airport.

The next meeting is scheduled for Wednesday, December 28<sup>th</sup> at 5:15 p.m.

### **Public Safety – Legislator Conroy**

Legislator Conroy reported the Public Safety Committee met Monday, December 12<sup>th</sup>.

Dave Marcoux, the Director of Probation, discussed the Access Control Security System. Resolution #936 has been placed on the agenda upon the recommendation of the Committee. Eric Day, the Director of Emergency Services, discussed the Public Safety Answering Point Grant and a plan for the use of additional revenue. Resolutions #936 through #938 have been placed on the agenda upon the recommendation of the Committee. Richelle Gregory, the Director of the Child Advocacy Center, was present. Resolutions #939 and #940 have been placed on the agenda upon the recommendation of the Committee.

Aaron Lefebvre, the STOP-DWI Coordinator, updated the Committee on the STOP-DWI Program. Sheriff Dave Favro was present. Resolutions #941 through #945 have been placed on the agenda upon the recommendation of the Committee.

Justin Meyer, the Administrator of Legal Defense of Indigent Defendants, discussed the criminal and judiciary law affecting assigned counsel. Resolution #946 authorizes a new contract for an attorney to handle Family Court assignments.

### **Transportation Committee – Legislator Timmons**

Legislator Timmons reported the Transportation Committee meeting scheduled for Monday December 12<sup>th</sup> was cancelled. Resolutions #947 and #948 have been placed on the agenda upon the recommendation of the Committee.

Legislator Timmons reported a meeting was conducted on Tuesday, November 29<sup>th</sup> to discuss Clinton County Public Transit (CCPT) bus route changes. He reported the changes made to the bus routes will meet most of the concerns of the riders.

### **Liaison Reports**

#### **Chamber of Commerce – Legislator Rosenquest**

Legislator Conroy reported he attended the Strategic Tourism Planning Committee (STPC) meeting on Friday, December 2<sup>nd</sup>. It was reported that even though sales tax has decreased, it is not necessarily reflective of Canadian tourism. The Champlain border has shown a slight increase in border crossings.

#### **Clinton Community College – Legislators Dame and Rosenquest**

Legislator Dame reported the Clinton Community College Commencement ceremony is scheduled for Friday, December 16<sup>th</sup> at 6 p.m.

Legislator Rosenquest reported the new President of Clinton Community College will begin January, 2017. He reported the process for determining a replacement continues for Clinton Community College Board of Trustees member Paul Grasso.

#### **Community Services – Legislator Conroy**

Legislator Conroy reported the Community Services Board is scheduled to meet Tuesday, January 24<sup>th</sup>.

#### **Cooperative Extension – Legislator Timmons**

Legislator Timmons reported Cooperative Extension is scheduled to meet next week.

#### **Intercounty – Legislator Waldron**

Legislator Waldron reported the next meeting of the Intercounty Legislative Committee is scheduled for Wednesday, February 1<sup>st</sup> at the New York State Association of Counties (NYSAC) Conference.

## Lake Champlain/Lake George (LC/LG) Regional Planning Board – Legislator Keenan

Legislator Keenan reported LC/LG Regional Planning Board is scheduled to meet Wednesday, December 21<sup>st</sup> at 10:30 a.m.

### Staff Reports

County Attorney James Coffey requested an Executive Session to discuss the Turtle Island Trust litigation and the Risetto litigation.

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

Resolutions #895 titled, “Adopting 2017 Clinton County Budget”

Discussion: Legislator Dyer asked the Legislature to consider the issue of two percent raises for Management Confidential employees. He reported this would not affect the steps; it takes the steps up to the two percent so the employees receive the same raise.

Legislator Dame concurred with Legislator Dyer regarding the undesirability of an across-the-board raise. However, he does not feel this is the time to solve or develop a management evaluation/pay scale system. He reported the private sector does not receive a double raise but does receive a certain percentage raise on salary. He feels Clinton County has some very dedicated managers, but maybe some are rewarded when it may not be justified.

Legislator Rosenquest concurred with Legislator Dyer stating that a blanket raise on top of a step may not be an appropriate way to reward those employees who go beyond and do deserve a two percent raise. He agreed with an evaluation system being used to justify employees receiving raises. Legislator Rosenquest stated he does not believe a blanket two percent raise is appropriate.

Legislator Waldron stated she does not concur with eliminating the step system. She feels an evaluation needs to be done for the two percent raise.

Legislator Beach stated he does not feel this change should be made this time of the year. He does not like a blanket raise in any form.

Legislator Timmons stated an employee expects to earn a certain dollar amount and is guaranteed to earn steps when hired. He stated it isn't fair to take that guarantee away from the employee. Legislator Timmons suggested a precedent be set effective on a certain date. He stated a blanket policy may not be the best way for the two percent raise and feels now may not be a good time to make a decision on this issue.

Legislator Conroy stated it may be a good idea to potentially increase the steps as a way of granting a raise. He stated the raises are tied to the CSEA Agreement. He noted if the CSEA and Management Confidential were not tied together, and if the steps were increased slightly to compensate, that may be a solution. He stated the issue requires further discussion.

Legislator Hall stated he agreed with the comments of his colleagues. He stated Clinton County is very fortunate to have the employees it has. In his opinion, a raise could be questioned for some employees. Legislator Hall feels it is very important to form a committee to look at each employee, as Chairperson McManus has suggested. He stated that it would be difficult to make any changes on this issue at this time of year.

Legislator Dyer reaffirmed he is not trying to eliminate the steps. He stated he approves of the steps, plus the compensation needed to get to the two percent raise.

Chairperson McManus stated he could only support an immediate change if the County was in a difficult financial situation and was forced to go over the tax cap or experienced catastrophic losses in relation to sales tax. He feels this issue needs a more measured response over a period of time and stated that a vote will hopefully take place this time next year.

Legislator Dame thanked Mr. Zurlo, the Department Heads and his colleagues. He recognized County employees who do their jobs each day to ensure services are met in an economical way. Legislator Dame stated the budget, while not perfect, does not further burden the taxpayers. He feels the budget is fiscally responsible and in its totality is a sound, reasonable and fair budget. He stated the Clinton County Legislature is fortunate compared to some counties within New York State.

Legislator Dyer stated the County does have great Department Heads who assist Mr. Zurlo and his staff in doing a good job on the budget. He thanked Mr. Zurlo and his staff for the good job on the budget.

Legislator Beach stated this is the first year in quite some time that sales tax has not been where the Legislature would like it to be. He stated the County is expanding its Airport, has purchased a new building for Mental Health and Addiction Services, has dealt with Clinton County Public Transit (CCPT) issues and purchasing new buses for CCPT. He stated there have been new challenges for the Legislature, the Budget Officer and his staff, as well as Department Heads. Legislator Beach thanked these individuals, as a Legislator and a citizen of the County.

Legislator Timmons stated he is impressed with changes made to the budget requests by Mr. Zurlo and stated Mr. Zurlo has produced a beautiful budget.

Legislator Waldron recognized Mr. Zurlo, and stated it makes the job of the Legislature easier when he, his staff and Department Heads do such a good job.

Legislator Dame asked taxpayers that when they receive their tax bills to look at the County line and look at the County line last year. The County has done its job; it has raised the levy less than one-third of one percent.

Legislator Hall stated Mr. Zurlo, Mr. Brown and their staff have done a wonderful job. He stated each Department Head has done a wonderful job in discussing their budget requests with Mr. Zurlo. Legislator Hall thanked Department Heads as well.

Chairperson McManus stated the most important relationships that are critical to the County having the type of fiscal responsibility it has is the relationship between the Budget Officer and the Department Heads. He stated the relationship Mr. Zurlo has established with Department Heads is exceptional. Chairperson McManus thanked Mr. Zurlo and Department Heads on behalf of the taxpayers of Clinton County.

Carried (10-0-0).

Resolutions #896 through #906 were approved.

Resolution #907 titled, "Rejecting Bids for Bakery Products – Purchasing"

Discussion: Mr. Zurlo reported the Purchasing Agent went out to bid for bakery products and then compared the results with the State contract pricing. He reported the bid is being rejected because State contract pricing was lower than the response from the bid. Carried (10-0-0).

Resolutions #908 through #924 were approved.

Resolution #925 titled, "Approving Backfill of a Permanent, Full-Time Correction Officer Position (PCN 3263) – Sheriff's Department"

Discussion: Legislator Dame voted no. Carried (9-1-0).

Resolutions #926 through #934 were approved.

Resolution #935 titled, "Authorizing the Sale of Property at the Former Clinton County Airport – Plattsburgh International Airport"

Discussion: Legislator Dyer asked the Fair Market Value of the property. Rodney Brown, the Deputy County Administrator, replied the property is appraised at \$27,500 per acre. He reported this is the 7.2 acre parcel located east of the Norsk parcel.

Legislator Waldron asked how The Development Corporation (TDC) will use the property. Mr. Brown replied the property will be used by the TDC to further its industrial park. Carried (10-0-0).

Resolution #936 titled, "Authorizing the New York State Governor's Traffic Safety Committee Ignition Interlock Device Monitoring Project Grant Application and Acceptance – Probation Department"

Discussion: Mr. Zurlo reported one of the items in the budget was an increase to the tax levy in the Probation Department due to a decrease in revenue. He reported this resolution authorizes the acceptance of the lower dollar amount. Carried (10-0-0).

Resolutions #937 through #945 were approved.

Resolution #946 titled, "Awarding Request for Proposals (RFPs) for Family Court Legal Services – Assigned Counsel"

Discussion: Legislator Dyer reported that Justin Meyer, the Administrator of Legal Defense of Indigent Defendants, has done a superb job with Assigned Counsel.

Mr. Zurlo reported Mr. Meyer attended the December 12<sup>th</sup> Public Safety Committee meeting and the recommendation from the Committee was that of the Administrator of Legal Defense.

Resolutions #947 through #965 were approved.

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

Resolutions #966 and #967 were approved.

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

Chairperson McManus entertained a motion from Legislator Keenan to enter into Executive Session at 7:54 p.m. to discuss the above-mentioned matters, seconded by Legislator Hall.  
Carried (10-0-0).

Legislator Keenan motioned to exit Executive Session and return to Regular Session at 8:55 p.m., seconded by Legislator Waldron. Carried (10-0-0).

There being no further business, Legislator Conroy motioned to adjourn the meeting at 8:56 p.m., seconded by Legislator Beach. Carried (10-0-0).

Respectfully submitted,



Jeanene Bell  
Senior Stenographer