

COUNTY OF CLINTON)
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STATE OF NEW YORK)

March 14, 2015

Stenographer's minutes of the Regular Session of the Clinton County Legislature held
Wednesday, March 11, 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 7:01 p.m.

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

Legislator Hall motioned to accept the minutes of the February 25th Regular Session, seconded by Legislator Keenan. (Carried 10-0-0).

Legislator Waldron presented a plaque to Tammy Cringle, congratulating her on her lifesaving efforts which resulted in saving the life of Montgomery Threlkeld.

Chairperson Dyer asked if there was anyone present to speak about Common Core. There was no one present to speak about Common Core.

Chairperson Dyer asked if anyone wished to address the Legislature.

Tina Sullivan, a Clinton County Public Transit (CCPT) patron, stated she feels it is not a good idea to eliminate CCPT bus runs. She stated students will not be able to get to school, there will be job losses and there are individuals with medical issues that rely on CCPT. She suggested the Legislature ride the CCPT buses and talk to those riding whom Legislators represent.

Joe Gittens from 55 Olivetti Place, Plattsburgh stated eliminating CCPT bus runs will result in a loss of revenue. He stated there is a lot to be taken into consideration before decisions are made.

Peter Regnier from Champlain stated he is the President of the Clinton Community College Veterans' Club. He stated eliminating CCPT bus runs will affect those who do not have a driver's license. It will affect those attending college, the disabled and those with mental health issues. He stated elimination of bus runs is due to failed leadership. Mr. Regnier stated any County Legislator who votes for the elimination of the rural routes, paratransit and the bus to the Lake Champlain Ferry, will be targeted immediately for voter removal from office. He stated there have been Legislators who have expressed a desire to eliminate routes and eliminate the entire system. Mr. Regnier stated the Champlain bus route has the highest amount of ridership for the paid routes. Mr. Regnier stated Legislators should think long and hard before screwing over the people they were elected to represent. He stated CCPT has made money for over 30 years; it has lost money the past four years. He stated those declined years have occurred under declined leadership. The loss of revenue and grant funds in CCPT is a direct result of failed leadership. The cuts should not be made to the public service system.

Joanne Zuker from 5 Oswego Lane, Plattsburgh stated she has been a CCPT patron for over 20 years. She is legally blind and relies on CCPT for transportation to and from her job at Northeastern Clinton Central School. She asked for consideration for all CCPT patrons for transportation to appointments, jobs and retail stores.

Legislator Langley asked Mr. Regnier if he was under the impression CCPT bus runs were being eliminated because it is revenue driven. Mr. Regnier replied that it didn't matter if he thinks it is revenue driven or not. He stated one of the options resulted in a 43 percent reduction in revenue. Legislator Langley stated that previously, the issue was the shortage of revenue, and the County decided it was important enough to keep all routes and pay the difference. He stated what CCPT is dealing with now is lack of a sufficient number of drivers. He asked Mr. Regnier if he had any ideas as to how to recruit drivers more quickly. Mr. Regnier replied the process could be made more appealing to obtain drivers. He stated the pay rate is insane. Legislator Langley asked Mr. Regnier if he was aware what has been put in place to begin the process to pay drivers more per hour. Mr. Regnier stated he was not aware of this.

Deputy County Administrator Rodney Brown reported there was a pay increase for CCPT bus drivers in December, 2014, and there have been discussions with Jim Gorman from First Transit on an additional pay increase. The decision on this issue cannot unilaterally be made because First Transit is unionized. Mr. Brown is hopeful that process has begun.

Legislator Langley stated the Legislature is sympathetic to this issue. The existing level of service cannot be provided due to lack of drivers. He asked how a driver for a route could be provided as quickly as possible.

Mr. Gittens stated an increase in pay would be a big help to recruit drivers; the pay rate is not good, especially if drivers are already CDL qualified. He stated CCPT does offer good CDL training at no cost. Mr. Brown stated the County pays for the CDL training.

Legislator Langley stated he was concerned that decisions being made in the Transportation Committee were not being communicated to the CCPT bus drivers correctly. He stated the Legislature is open to trying to assist and expedite the process. The Legislature welcomes suggestions.

Chairperson Dyer stated there isn't one Legislator who doesn't want the CCPT bus route service to continue. Money has been placed into the system to make it successful. The Legislature does not want to eliminate CCPT bus routes, and the Legislature does not determine the amount of money CCPT bus drivers are paid.

Mr. Brown stated he would be happy to speak with members from the audience after this discussion. He reported the Legislature expressed a strong interest in not eliminating any runs. The Legislature received a telephone call from First Transit over one week ago in which it was reported CCPT did not have enough drivers to provide all bus runs on that day. A decision was made on which runs to eliminate. Mr. Brown reported the reason the North City and Clayburg/Lyon Mountain runs were eliminated was because there were not enough drivers. There is a lot of overtime being paid to the existing drivers. There are 14 drivers and 26 driver shifts. If the Legislature decides to eliminate more bus runs, the intent is that it be temporary until there is a different salary structure in an effort to attract more drivers. All bus runs will be restored once there are a sufficient amount of drivers. There is not an interest amongst the Legislature to eliminate the bus runs, but to retain the bus runs. Mr. Brown reported there is misinformation to believe eliminating bus runs is being done to save money. It is being done because there are not enough drivers to conduct the existing bus runs. It would not be a favorable situation where a driver is ill, and a snap decision has to be made on what bus routes will not be provided that day. That is worse than giving advance notice of what bus runs are not going to be provided for a certain period of time. Mr. Brown reported CCPT is required to provide paratransit services. CCPT is not required to provide rural paratransit services and can deviate a route up to three quarters of a mile.

Mr. Brown reported the Legislature is working with CV-TEC to provide free tuition for a CDL course and is working with First Transit to expedite training so drivers can begin to drive for CCPT once CDL licenses are obtained.

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

Legislator Read reported the Buildings and Grounds Committee toured the Human Services Center earlier this afternoon to see the progress being made on the 1st Floor Renovation Project. It is hoped the Project will be completed by August, 2015. He reported although employees have been displaced, they are in very good spirits and support the process. John Redden, the Commissioner of Social Services, has done a very good job in managing the Project along with James Cleveland, the Superintendent of Buildings and Grounds.

Children and Family Services Committee – Legislator Waldron

Legislator Waldron reported the Children and Family Services Committee met Thursday, March 5th at 6:15 p.m. John Redden, the Commissioner of Social Services, discussed January, 2015 monthly statistics, the 2015/2016 proposed State budget, Raising the Age and the Vermont/New York Opiate Task Force. Resolutions #150 through #152 have been placed on the agenda upon the recommendation of the Committee.

Legislator Waldron reported the next meeting of the Children and Family Services Committee is scheduled for Thursday, April 2nd at 6:15 p.m.

County Operations Committee – Legislator Read

Legislator Read reported the County Operations Committee met earlier today. Allan Bilow, the Director of Weights and Measures, updated the Committee on revenue that has been generated to offset expenses.

Legislator Read reported Barbara Foster, the Director of Information Technology, provided an update on possibilities for webcasting the Regular Sessions.

Legislator Read reported Resolutions #153 through #155 have been placed on the agenda upon the recommendation of Committee.

Finance Committee – Legislator Dame

Legislator Dame reported the Finance Committee met Wednesday, March 4th at 5:15 p.m. Kimberly Davis, the County Treasurer, reviewed sales tax, 2015 Town/County Tax Installments and the Correction of Errors Report. Notices for this year's foreclosures were mailed to taxpayers and interested parties (banks and lienholders) in October, 2014. At that time, there were 507 properties on the list. Ms. Davis reported that number has been reduced to 89. Legislator Dame reported Judge Patrick McGill signed the Foreclosure Orders on Monday, March 9th; therefore, the 20 percent penalty is in effect. The last day to redeem properties is Thursday, April 23, 2015.

Legislator Dame reported Sylvie Nelson, the newly-appointed Executive Director of the Workforce Investment Board (WIB), was present to discuss the many changes coming to WIB due to the Workforce Innovation and Opportunities Act that was voted into law last year. Regulations have not yet been released, but are expected soon. The Finance Committee looks forward to working with Ms. Nelson. Ms. Nelson will keep the Legislature apprised of WIB matters.

Legislator Dame reported Resolution #157 has been placed on the agenda as a result of the Committee's recommendation.

Legislator Dame reported the next Finance Committee meeting has been rescheduled from Wednesday, April 1st to Tuesday, April 7th at 5 p.m.

Mr. Zurlo reported the auction signs for the foreclosure process were placed on properties today, Wednesday, March 11th. He reported no one missed the 20 percent penalty by a day.

Health Committee – Legislator Beach

Legislator Beach reported the Health Committee met Thursday, March 5th at 5:15 p.m.

Peter Trout, the Director of Community Services, presented Resolution #158 which has been placed on the agenda upon the recommendation of the Committee. Mr. Trout discussed Clinic Account Receivables which are trending in a far more positive direction.

Jerie Reid, the Director of Public Health, presented Resolutions #159 through #163 which have been placed on the agenda upon the recommendation of the Committee. Ms. Reid reviewed the Director's Reports, the Health Department Reports for the Board of Health meetings and Quarterly Grant Reports. The PHAB Accreditation has been received and shows Clinton County is the second county in New York State to receive the accreditation.

Legislator Beach reported the next meeting of the Health Committee is scheduled for Thursday, April 2nd at 5:15 p.m.

Human Services Committee – Legislator Keenan

Legislator Keenan reported the Human Services Committee met Wednesday, March 4th at 6 p.m. He reported Steve Bowman, the Director of the Veterans' Service Agency, reviewed monthly statistics for February, 2015. Resolution #170 has been placed on the agenda as a result of the recommendation of the Personnel Committee. The resolution will approve the creation of a permanent, part-time Typist position for the Veterans' Service Agency.

Legislator Keenan reported Wendie Bishop, the Nursing Home Administrator, discussed the November, 2014 New York State Department of Health Annual Survey. She reported a law was passed requiring County Nursing Homes to achieve the ability to conduct electronic prescriptions, effective March 27, 2015. The Assembly and Senate passed a one-year extension to the law which the Governor must approve. Resolution #164 has been placed on the agenda upon the recommendation of the Committee.

Legislator Keenan reported the next meeting of the Human Services Committee is scheduled for Wednesday, April 1st at 5:15 p.m.

Personnel Committee – Legislator Langley

Legislator Langley reported the Personnel Committee met Monday, March 2nd at 5:15 p.m. There are 21 resolutions included on the agenda as a result of the Committee's recommendation. There are five reclassification requests, two new position requests and 13 backfill requests.

Plattsburgh International Airport Committee – Legislator Langley

Legislator Langley reported he, along with Deputy County Administrator Rodney Brown and Airport Manager Chris Kreig will be meeting with the Federal Aviation Administration in the Town of Jamaica on Long Island on Thursday, March 12th. Projects of completion and projects for the future will be reviewed. There will also be discussion on Airport funding (Airport Improvement Program (AIP) and discretionary funding).

Legislator Langley reported the next meeting of the Plattsburgh International Airport Committee is scheduled for Wednesday, March 25th at 5:15 p.m.

Public Safety Committee – Legislator Hall

Legislator Hall reported the Public Safety Committee met Monday, March 9th at 6:30 p.m. District Attorney Andrew Wylie presented Resolutions #193 and #194 which have been placed on the agenda as a result of the Committee's recommendation.

Legislator Hall reported Frank Mercier, the STOP-DWI Coordinator, reviewed the February, 2015 STOP-DWI Public Safety Report. Mr. Mercier reported the number of DWI arrests have decreased.

Legislator Hall reported Dave Marcoux, the Director of Probation/ATI, reviewed the proposed Firearms Policy and Procedures. A resolution to adopt the Policy will be placed on either the Wednesday, March 25th or Wednesday, April 8th Regular Session agenda. Resolution #192 has been placed on the agenda as a result of the Committee's recommendation.

Legislator Hall reported there was discussion on a proposed Local Law to allow for common, safe items to be excluded from the Dangerous Fireworks Definition as permitted by New York State Penal Law Section 405(b). It was the consensus of the Committee to present a draft resolution regarding the proposed Local Law at an upcoming Regular Session. This issue is in regards to sparklers. The Committee feels it is regulated and not a danger to anyone.

Legislator Hall reported Sheriff Dave Favro discussed a proposal for the construction of an asphalt plant on a lot adjacent to the Jail facility and described the many negative impacts that would likely result if the use of the site were to be approved by the Town of Plattsburgh. Legislator Hall reported the Committee would like to notify the Town of Plattsburgh it is not in the best interest of Clinton County to approve of this site. Mr. Zurlo reported the Clinton County Legislature is not opposed to economic development but is opposed to the location of the asphalt site and its proximity to the air intake at the Clinton County Jail. Mr. Zurlo reported the issue needs to go through the Town of Plattsburgh's Zoning and Planning process. Due to a conflict, the Assistant County Attorney is writing a letter to the Town of Plattsburgh expressing the Committee's discussion.

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

Transportation Committee – Legislator McManus

Legislator McManus reported the Transportation Committee met Monday, March 9th at 5 p.m. Bob Harvey of Egrit Communications delivered a presentation regarding the Clinton County Destination Master Plan. Mr. Harvey prepared the original Clinton County Destination Master Plan in 2010 and

updated the plan in 2013. Mr. Harvey discussed the contents of the Plan and expressed his belief that Clinton County has the resources and history to make great strides in the tourism industry. Legislator McManus thanked Legislator Read for scheduling Mr. Harvey's presentation.

Legislator McManus reported the Legislature has supported the continuation of CCPT and any associated items of public transit with its support of the County budget each year. The severe driver shortage is what is driving the issue of having to look at alternatives. A decision was made to reduce the North City route to two days per week instead of five days per week, and to reduce all rural routes to one day per week instead of five days per week. Legislator McManus met with Mr. Brown to discuss ridership above 20 on any specific routes. Under discussion is reducing the number of bus runs scheduled for each route in order to increase the number of days each route can operate. Legislator McManus reported this is not included in tonight's resolution, but there is language in the resolution to provide the flexibility to allow us to do that. Any changes could not be implemented for 30 days from the date the changes are advertised in the Press Republican. Information on route changes would also be posted on the buses. Legislator McManus asked that Legislators who have any suggestions to please bring them to Mr. Brown, Planning Technician James Bosley, or himself. Any phone calls can be referred to Legislator McManus.

Chairperson Dyer asked the period of time it takes to train the drivers. Legislator McManus replied three months, and stated a driver with a CDL should be quicker.

Mr. Zurlo reported the requirements to drive the CCPT buses are the same requirements to drive school buses. He stated the County pays for the training, then the driver often times leaves to become a school bus driver with an increase in pay. The County is considering paying CV-TEC tuition and would require the driver to work as an employee of CCPT for a specific duration of time.

Mr. Zurlo reiterated any decision to eliminate a bus route is not due to lack of funding; it is due to lack of drivers.

Legislator Beach asked if school bus drivers may be interested in driving the CCPT buses on a temporary basis throughout the summer months. Legislator McManus stated this is certainly something to research.

Liaison Reports

Chamber of Commerce – Legislator Read

Legislator Read reported he appreciated Bob Harvey of Egrit Communications speaking to the Transportation Committee.

Cooperative Extension – Legislator McManus

Legislator McManus reported interviews for Executive Director of Cooperative Extension are ending. Amy Ivy will remain at Cooperative Extension until a replacement is found. Once a replacement is found, Ms. Ivy will be spending 10 percent of her time in Clinton County.

InterCounty – Legislator Waldron

Legislator Waldron reported the next Intercounty meeting is scheduled in St. Lawrence County on Thursday, March 26th.

Mr. Zurlo reported Clinton County is hosting the April 23rd Intercounty meeting in Plattsburgh.

Grievance – Legislator Gallagher

Legislator Gallagher reported a Grievance Committee meeting is in the process of being scheduled.

Workforce Investment Board – Legislator Read

Legislator Read reported Sylvie Nelson, the new Executive Director of the Workforce Investment Board, was present at the Thursday, March 5th Finance Committee meeting. He stated he looks forward to working with her in the future.

Staff Reports

County Attorney James Coffey requested an Executive Session to discuss the Castine litigation, the Rissetto Public Employee Relations Board (PERB) matter, the proposed purchase of real property by Clinton County, CD Perry litigation, Turtle Island Trust litigation and Level 3 Communication litigation.

Mr. Zurlo reported in the 2014 State budget, the Legislature passed and the Governor signed into law the Tax Freeze Program. If a municipality meets the tax cap in years one and two and provides an Efficiency Plan to New York State worth one percent of the tax levy, in years 17, 18 and 19, the municipality will be eligible for a check from New York State. The Governor has envisioned the County to potentially be the umbrella to submit a program for all of the interested municipalities. In consultation with Town of Plattsburgh Supervisor Bernie Basset and the Town Supervisors' Association, Mr. Zurlo reported a meeting has been scheduled in which the New York State Association of Counties will provide a presentation to Town and Village Supervisors, Village Mayors and the City of Plattsburgh Mayor. The meeting is scheduled for Wednesday, March 25th at 10 a.m. at 151 Banker Road at the Town of Plattsburgh offices. The Plan needs to be filed with the State by Monday, June 1st.

Chairperson Dyer reported concerns were heard from Kristy Bezruczyk and members of the North Country Alliance for Public Education regarding the Common Core Initiative. He reported the County should take an in-depth look at the Common Core Initiative and all issues surrounding it. As such, Chairperson Dyer will be appointing a subcommittee of Legislators to study the issues and bring suggestions to the full Board for potential action. The subcommittee will be co-chaired by Legislators Gallagher and McManus and comprised of any other Legislators who would like to participate. The subcommittee will bring its work immediately to the Legislature and offer its conclusion in the near future. Legislator McManus reported an email will be forwarded to Legislators once a meeting date and time has been scheduled. He reported the Committee will be looking at alternatives; however, it is not guaranteed a resolution to this issue will be brought forward.

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

Resolutions #150 through #155 were approved.

Resolution #156 titled, "Approving Strategic Planning Commission's Recommendation to Expend Occupancy Tax Revenue – Legislature"

Discussion: Mr. Zurlo reported this resolution approves the last payment the County pre-pays per the Local Law. (Carried 10-0-0).

Resolutions #157 through #184 were approved.

Mr. Zurlo reported there are a number of backfills due to the bi-monthly Personnel Committee meetings.

Resolutions #185 through #197 were approved.

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

Resolution #198 titled, "Authorizing Clinton County Public Transit (CCPT) Bus Route Changes – Clinton County Public Transit (CCPT)"

Discussion: Legislator Langley asked if the resolution refers to Option 7. Legislator McManus replied yes, it refers to Option 7. (Carried 10-0-0).

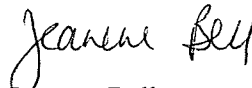
Legislator Gallagher motioned to enter into Executive Session at 8:20 p.m. to discuss the above-mentioned matters, seconded by Legislator Keenan. Carried (10-0-0).

Legislator Dame motioned to exit Executive Session at 8:47 p.m., seconded by Legislator Hall. Carried (9-0-1). (Mr. Beach excused).

Resolutions #199 and #200 were approved.

There being no further business, Chairperson Dyer entertained a motion from Legislator Keenan to adjourn Regular Session at 8:48 p.m., seconded by Legislator Hall. (Carried 9-0-1).

Respectfully submitted,



Jeanene Bell
Senior Stenographer