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Resolutions to add court space defeated

BY JAMES R. DONNELLY

CANTON — "This thing is getting to be a farce—a farce and a half," declared Massena Legislator John Harrington late Monday night as the St. Lawrence County Legislature debated the problem of finding additional space for its courts. The debate ended where it had begun, with no answer in sight.

The debate, sometimes silly, sometimes serious and at least once angry, began when Harrington, chairman of the Buildings and Grounds Committee requested a suspension of the rules to offer a proposal for the construction of a $1.3 million addition to the 1956 addition to the county court house.

An earlier version of the resolution, differing only in wording, had been defeated in July by a vote of 11 to 10 when its supporters could not muster 12 affirmative votes. Legislator Ernest LaBaff was absent for that session.

In both cases the resolution called for Akins Associates of Canton to prepare a preliminary engineering study of the addition at an estimated maximum cost of $16,575. The total cost was to be no more than $1.3 million with Akins to receive eight and a half per cent of the final figure.

Legislator Carl LaSalle questioned the timing of the proposal, in light of a recently approved state takeover of court costs.

LaSalle was told by several legislators, however, that the state would not fund court related construction costs in the foreseeable future.

Resolution Fails 12-10

The resolution was put to a vote and failed by a 12 to 10 margin. Voting against the measure were Legislators Robert Thompson, Donald Smith, Peter Otto, Carl LaSalle, Lloyd Moore, Ralph Greco, Stanley Morrill, Betty Bradley, Donald Bixby, Edward Johnson, Nicholas Viskovich and Frederick Cook.

Legislator David Martin of Canton initially abstained from the voting in order to explain that he opposed the construction of the addition but believed that the board had already agreed in June to proceed. On that basis, he said, he would vote in favor of the selection of Akins Associates.

Second Resolution Introduced

Harrington immediately introduced another resolution, this one identical to the first except that it called for the erection of a new court addition on top of the underground Civil Defense building. Harrington said that proposal was the unanimous second choice of his committee but that if it failed he had five more resolutions prepared, offering different solutions to the problem.

Martin again argued that the board had already made its decision in June to proceed with the addition to the court house and a resolution concerning the "root cellar" was not in order. "The only decision," he said, "is which architect."

Oswegatchie Legislator Donald Livingston argued that while he agreed with Martin's interpretation of the June vote he was certain that most of those legislators who had voted against the first resolution were doing so because they wanted to see a resolution calling for the renovation of the county home.

Use County Home?

Harrington eventually withdrew his second resolution and Legislator Ernest LaBaff moved that the county invest in an engineering study of the costs of remodeling the county home for use as court space.

Potsdam Legislator Betty Bradley asked Harrington if he had any idea what such a study would cost. He said he did not but predicted "it will be high."

The use of the county home for court or other type space was supported by Finance Committee Chairman Ralph Greco who stated "I have never been convinced we can't get more for less by renovating that building."

County Attorney David Nelson cautioned the board that to use the county home for court space would require a permissive referendum of all qualified voters in the county. He explained that under section 216 of the County Law such a vote of the people is required before any court house, clerk of the board, election board, Sheriff's civil office or county clerk's office can be moved out of an incorporated village. The home lies outside of the Canton village limits.

Potsdam Legislator Francis Healey then proposed an amendment to the proposal which would remove the specification that the building would be used for court space. He withdrew the amendment, however, when Morristown Legislator William Hess protested that "unless you have a specific purpose in mind how the hell can you get an estimate?"

Legislator Peter Otto suggested delaying any decision until after the possible need for a new jail has also been considered and Frederick Cook took Harrington to task for proposing more than was needed.

Cook, in an exchange with Harrington which brought both men to their feet in protest, noted that a recently completed study of county space needs over the next 10 years calls for only about 8,800 square feet of additional space for the courts. The addition proposed by Harrington, Cook pointed out, calls for the construction of 24,000 to 30,000 square feet of space.

"When the Buildings and Grounds Committee comes in with a resolution for court space I will vote for it," Cook concluded.

'Renovate Something'

Gouverneur Legislator Charles Cook, who observed "We seem to be hell bent on renovating something," proposed that the board consider building a new jail on land now occupied by the Sheriff's house and converting the current jail into needed space for the courts and other offices. This, Cooke said, should satisfy everyone since it would solve both the jail and court problems, mean new construction and still allow the county to "renovate something."

Cooke's suggestions drew no response and the final legislator to speak to the resolution was Lloyd Moore of Clare who indicated he no longer favors any additional construction at the court house complex but would support new construction at the county home site. As for the county home itself, Moore said he would favor burning it down before he would vote for renovating it.

LaBaff's proposal for a study of converting the county home to court space was turned down by a unanimous vote.

Harrington Tries Again

Harrington again took the floor after the defeat of LaBaff's resolution and again offered a resolution calling for the court house addition. This time, however, Quentin Reutershan of Potsdam was to be the archetect.

Reutershan, Harrington reported, had offered to do the preliminary engineering for a fee of $13,831 with a total project cost for a 24,000 square foot additional not to exceed $1,084,800. His total fee would be eight and a half per cent of the final cost.

With little debate the resolution went down to a 15 to seven defeat. Those legislators voting in favor of Reutershan were Francis Healey, Betty Bradley, Ernest LaBaff and Donald Bixby, all of the Potsdam area, William Hess, Allen Rishe and John Harrington.

LaBaff then moved for adjournment but that motion was defeated on the basis of an 11 to 11 tie vote when Betty Bradley protested that there were still several items on the board's agenda. The meeting continued another five minutes and ended at midnight with the board apparently no closer to solving its space problems than it was before the session began.

Dateline...

COURT TAKEOVER

CANTON-- St. Lawrence County could save approximately $600,000 in an average year if the state takes over the administration of the county court system.

With the takeover plan currently in vogue, the state would take over the administration of supreme, county, family and surrogate courts as well as the expenses of the commissioner of jurors, court library and grand jury.

The takeover program would be phased in over a four year period beginning April 1, 1977.

SAVE CLEAN AIR

WASHINGTON--Senator James L. Buckley (C-R,N.Y.) urged the Senate to reject the "myths put forth by industry" and vote in favor of a defined policy to protect clean air in the pending Clean Air bill according to a statement released by his press secretary.

Buckley, Republican floor manager of the bill and one of its principal authors, urged defeat of the controversial Moss Admendment.

"This is a sound bill. It is far preferable that the Congress establish a policy protecting the clean air areas of our nation than to leave it to court-imposed Federal regulations," he said.

"It is argued that the Committee bill is a non-growth bill. This is false. Our bill encourages reasonable economic growth, while protecting the clean air values of the nation. Our bill resolves this issue, giving industry certainty rather than protracted litigation," Buckley said.

MARTIN LASHES ECONOMY

STAR LAKE-- Dave Martin, candidate for the New York State Assembly in the November elections, met with a group of concerned citizens at the Fine Youth Center to discuss situations and problems in the county.

Martin, who is running on both the Republican and Conservative lines, outlined his priorities in state government placing first the "deplorable" condition of the economy and the high rate of unemployment in the district.

Running a close second as a matter of concern is the continuing growth of state and local government, he noted.

He pledged that, as a state legislator, he would work for a state policy calculated to make New York State more attractive to job producing industries.

LOBBY REFORM

WASHINGTON-- Congressman Robert C. McEwen, R-N.Y., is part of a bipartisan effort to reform House of Representatives rules pertaining to lobbying activities in the House chamber.

The Congressman is a cosponsor of a House rule to deny chamber privileges to former House members engaged in lobbying activities. Under the present rule, former House members are supposed to be denied access if they have a direct interest in any bill pending before Congress; however, the present practice is to deny access only when a bill in which they have a personal or professional interest is actually under consideration by the House.

Congressman McEwen said the proposed rule would deny chamber access at all times to former Congressmen engaged directly or indirectly in influencing legislation pending before Congress or any of its committees.

NEED MORE SPACE

CANTON-- The need for more court space in Canton is critical. According to Judge Michael Duskas, who made the statement to the Canton Rotary Club, current overcrowding has been gradually building since the completion of the most recent addition to the court house in the mid-1950's. The major problem which he sees is getting access to a courtroom. This is a partly result of the growth experienced by Family Court.

The problem has become so acute, he claimed, that he is reluctant to issue arrest warrants for those failing to appear in court because he noted that defendants may have been unable to find out where county court was being held.

Recently, he declared, he held 21 proceedings in his own office because he could not find a courtroom.

Lab chosen

Behrooz Bassim, M.D., has been notified that the laboratory at the Central St. Lawrence Health Services Potsdam Unit has been selected as one of 308 labs across the country to participate in a cooperative enzyme experiment.

The CSLHS lab was chosen upon the recommendation of the New York State Department of Health.

According to Bassim, the lab will periodically test new re-agents produced by manufacturers and submit reports to the Atlanta based Center for Disease Control. The CDC will then assimilate all 308 lab reports and render a decision as to whether or not the re-agents will be permitted on the market.

A re-agent, according to Bassim, is anything which is used in a laboratory to analyze specimens.

The cooperative venture provides a new measure of quality control for re-agents which are being newly produced, Bassim said.

He noted that "there is no financial interest on our part, we will receive no money for this work." He added, however, that "we are doing it to help make a better product which will eventually come back to us. It's sort of an investment in the future."

Not all of the labs invited to participate in the program are hospital labs, according to hospital spokesperson Carol Blair. She noted that many of the labs are not-involved in the rigors of day to day hospital routine.

THE CSLHS LAB has been chosen as one of 308 in the county to participate in a new interphase program.

Martin raps Haley letter

Dave Martin, Republican and Conservative candidate for the Assembly, lashed out at his opponent incumbent K. Daniel Haley in a statement released to the Courier and Freeman.

Martin, who has been keeping a low profile with respect to his views until very recently, attacked Haley for a statement which appeared in the Courier and Freeman last week.

Haley, in that statement, said that he had urged Governor Hugh Carey to extend unemployment benefits for an additional 20 weeks.

Martin, reacting to the comment, called it "unbelievable" and "incredible."

"Haley's news release of August 2 is the epitome of election year grandstanding," Martin declared. "He has had the entire session to address this problem and didn't, not to speak of his previous five years in office. Now, with the session over, he sends a letter to the Governor requesting this matter be placed on the agenda of the special session knowing damn well it wouldn't be considered."

"He's not a fighter he's a writer," Martin added.

"I am only sorry that hundreds of people in the District who have exhausted their benefits could have the taxpayer's money spent peddling news releases to buy food and pay the mortgage," he concluded.

Ingram, Russell charges dropped

In a 14 page decision County Judge Michael Duskas has ruled that the charges against Potsdam attorney Verner Ingram Jr. and his former client Francis Russell of Norwood are dismissed.

Ingram had been charged with filing a false instrument in connection with an alleged false arrest, imprisonment and assault of Russell in January by members of the Canton Police Department.

Russell had also been charged with filing a false instrument and had been additionally charged with perjury in the second degree.

The perjury charge was also dismissed.

Both men had been arrested following an internal investigation into the charges by Canton police chief James Cunningham. Following that investigation, which turned up a "no cause for action" judgement by Cunningham, the case went to the District Attorney's office.

William Power, District Attorney, was cited in the Duskas decision as having "improperly charged" the grand jury which returned a true bill against Ingram and Russell.

Duskas also noted in the decision that the notice of claim which the pair had filed did not meet the requirements of an instrument as defined in the penal law.

Russell was recently found guilty of a resisting arrest charge stemming from the January 11 incident. He was fined a small amount and has been given until the end of the year to pay it.

Shampine resigns as Norwood chief

Because the board of trustees and the mayor of Norwood are allegedly committed to keeping the village police department at an "inefficient level" chief of police Jerry Shampine has resigned.

In a letter which is dated August 6, Shampine announced to Mayor Joseph Hopsicker and the trustees that he was resigning "as of Sunday night, August 8th, 1976."

In a lengthy two page letter Shampine charged that the administration has been unresponsive to his attempts to gain support and funding for what he claims are needed reforms in the operation of the department.

"Some of the trustees sit there and twiddle their fingers and rap on the table when the police report is being presented," his letter declares.

Shampine also levelled criticism at the Norwood public in his letter of resignation.

"I have heard the public say 'there are no criminals in Norwood.' These people are blind to the facts. Five to seven burglaries a month, and the loss of five hundred to seven hundred dollars in taxpayers' property and money is evidence enough for me to say 'there are criminals in Norwood.' These facts have been presented to the village board, month after month, with these facts falling on deaf ears," the letter states.

Shampine claims that the most serious crimes in the United States "like murder, rape, burglary and armed robberv" are being committed by persons aged 16 and under. He further charges that "in Norwood there is a whole crop of these potential young criminals."

"Seven Norwood youths have been arrested in the last two months for crimes of this nature," the letter continues.

The letter does not specify which of the crimes (murder, rape, burglary, or armed robbery) the youths were arrested for.

Shampine's letter also gives the impression that Norwood is a haven for drug traffickers and a marketplace for the buying and selling of drugs.

"Marihuana is expensive and a lot of it goes up in smoke in Norwood," his letter claims. "Do you think the youths from the other villages around come to Norwood for the scenery? I don't. I think and know they come for kicks, and I don't mean a kick in the pants."

The letter also thanks numerous people for their assistance including former trustees Robert Frost and Roger Boak.

"I thank (Boak and Frost) for all the help and advice they gave and I believe it cost them their seats on the board," Shampine's resignation notes.

The letter also cites the lack of a signed contract "or any signed agreement" between Shampine and the board and the fact that he has had to work six nights a week at the job which leaves, he says, little time for his family.

THE LAST LAP for Potsdam Puddle Jumper Bob Riggs during the post marathon held in Lake Placid on July 31 and August 1 brings a smile of triumph and relief. The 24-hour long race was a Kiwanis-sponsored event which raised money for Muscular Dystrophy. See story and photos in the sports section. (Dick Lunt Photo).

Public hearing

The Board of Trustees of the village of Potsdam will conduct a public hearing on Monday, August 16, at 7 p.m. in the civic center board room.

The public hearing is to hear and consider statements by village residents concerning the matter of a village franchise with La Forty Bus Lines Inc. The La Forty bus lines have been operating a bus service in the village the last two years during the academic year. The operation has been under a temporary permit from the New York State Department of Transportation. La Forty has now applied for a permanent permit to operate in the village and the Department of Transportation requires a consent from the village board accordingly.

Tax abatement Plan approved

CANTON — In spite of opposition from the director of real property tax services, the St. Lawrence County Legislature has unanimously passed a resolution authorizing tax abatement to new or expanding industries locating within the county.

Local Law number five for 1976 allows the county to participate in the New York State Job Incentive Program of tax abatement. The abatement, for eligible businesses, amounts to 100 per cent on new construction for the first five years and 50 per cent for the next five years, providing the business creates at least five new jobs.

A required public hearing on the local law got underway at 6:45 p.m. Monday and lasted for better than a half hour when Clyde Roberts, director of the Department of Real Property Tax Services asked that the measure be tabled for further study.

Roberts said he did not feel there was any urgency in passing the law since historically industires which have located in the county have not asked for tax abatement. Additionally, he argued, because of the size of St. Lawrence County a new industry would help only a segment of the population while the tax abatement would be paid for by all the residents of the county.

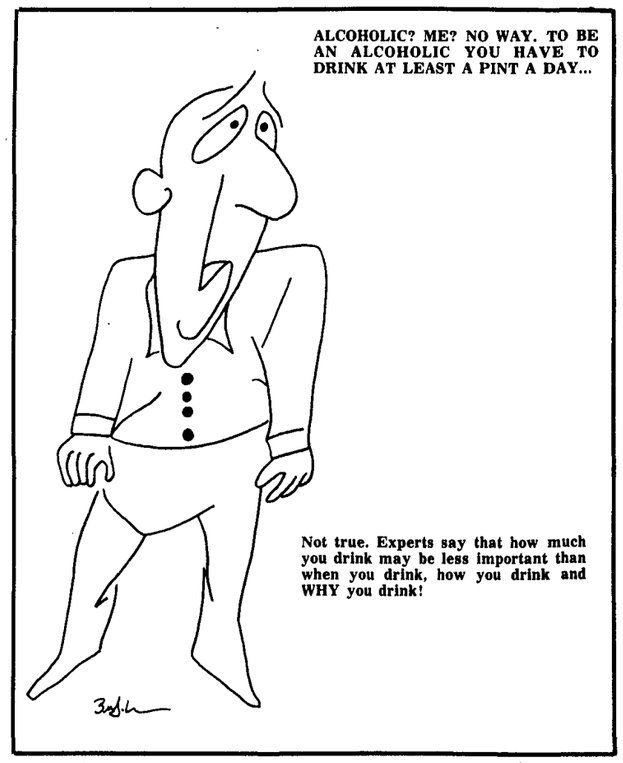
"You are asking people to subsidize things that are really not a local matter," Roberts said, arguing that people in one end of the county should not be asked to "subsidize" industries locating in the opposite end of the county.

Roberts received little support for his views. William Widener of Gouverneur, president of the Gouverneur Area Taxpayers Association, indicated his group supports the tax abatement concept. "Too long," Widener said, "we have been going on the basis - Where are we going to get the taxes?"

William Cook, the county's economic developer, defended the proposal, explaining that it merely makes St. Lawrence County competitive with other counties within the state. "Other states, quite frankly, have better programs," Cook said.

Cook said the abatement was needed if he was to attract new industry to the county and reminded the board that only economically depressed counties are eligible for the program.

Legislator Ernest LaBaff, chairman of the Economic Development Committee, stressed his support for the program and reminded Roberts that even with the abatement program the county stands to increase its tax base through the creation of new jobs. "I don't think we can afford the status quo," LaBaff said.

Roberts, who earlier said he supports the tax abatement scheme on the town, village and school district level, continued to ask for a delay. He argued that in the Massena area property taxes amount to about $200 total per $1,000 of assessed value while the county share of that tax amounts to only about $4 per $1,000. For this reason, he said, he felt the delay would not be significant to industries while it could prevent a serious erosion of the county tax base.

During the session it was also reported that all businesses within the state are now eligible for tax abatement under the terms of legislation recently signed by Governor Carey.