

Legislative and Research Committee Minutes
September 6, 2017 – 2:30 p.m.

Present: Chairman Art Johnson; Supervisors Bill Peck, Dan Pemrick, Jean Raymond, Tom Richardson, Jon Schopf, Mo Wright and Chairman of the Board Ed Kinowski; Spencer Hellwig, County Administrator; Steve Dorsey, County Attorney.

Chairman Johnson called the meeting to order and welcomed all in attendance.

On a motion made by Mr. Schopf, seconded by Mr. Peck, the minutes of the July 5, 2017 meeting were approved unanimously.

Mr. Johnson said that at the July meeting the committee had a discussion regarding the discharge of firearms on County Land, specifically on Loudon Road in the Town of Wilton and a parcel in the Town of Northumberland. At that point the Committee requested Mr. Dorsey to draft a local law. Mr. Dorsey was not in attendance at the July meeting and had additional questions for the committee, if they were looking to outlaw the discharge of all firearms on the parcel, possession of firearms on the parcel, if the committee were also looking at bow hunters. Also, the parcel in the Town of Wilton is on two sides of Loudon Road, one parcel is on the mall side of the road and the other section across Loudon Road. Mr. Johnson said that the local law would only pertain to the parcel on the mall side of the road, the portion that also contains the county trail. Mr. Johnson said that bow hunting was not brought up as part of the previous discussion. Mr. Peck said that the Sheriff had suggested that all firearms be restricted on the parcel as a problem could come up regarding enforcement. Mr. Wright expressed his concern in closing public property to hunters during hunting season. Mr. Wright said that 95% of the hunting course involves gun safety. NYS has laws already in place such as 500ft setbacks from houses and roads, to keep people protected. Mr. Wright said no one would advocate using county property for target shooting and that there are plenty of rod and gun clubs for people to use for that purpose. Target shooting on county property is causing a big problem with littering. Mr. Johnson said that complaints were due to safety, noise and littering. Mr. Peck said that the issue in Northumberland was the same however there are no houses or trails close to the Northumberland parcel. Mrs. Raymond said that signage is very important to make people aware. A discussion took place regarding the dates of different hunting seasons. Mr. Wright said that October 1 – January 1 and the month of May would be preferable hunting dates. Mrs. Raymond said that from a practical standpoint, this local law would not be passed before the main hunting season closes and that Mr. Dorsey take the next few months develop a draft to be reviewed by the Committee. Mr. Peck clarified that hunting season is already decided under State Law. It was decided that the local law be drafted to eliminate target shooting. Mrs. Raymond said that it can always be amended if it needed.

A motion was made by Mrs. Raymond, seconded by Mr. Richardson, to initiate Litigation against Opioid Manufacturers and Distributers. Unanimous. Committee Vote Only

Mr. Johnson said that due to the opioid epidemic Counties, including Saratoga County has experienced significant impacts on their budgets for treatment, law enforcement and other items.

Many counties in NYS and throughout the country have initiated lawsuits against opioid manufacturers and distributors. Mr. Dorsey said that there are two main law firms in NYS that are representing counties in this lawsuit, Napoli Shkolnik and Simmons Hanly. Mr. Dorsey distributed a handout from Napoli Shkolnik. Mr. Dorsey said that the Napoli firm are suing both manufacturers and distributors and the Simmons Hanly firm are suing manufacturers only. The crux of the argument is that the dangers were misrepresented and as a result of the growth and addiction, there are multiple costs being incurred by counties including increased Medicaid for treatment, mental health costs for treatment, additional law enforcement costs and lost productivity at work. The firms have similar fee structures in that there would be no fee to the county. Mr. Dorsey and other county officials have met with the Napoli firm but have not yet met with the Simmons firm. Mr. Hellwig said that they were told at the meeting when the federal government changed the regulations that controlled how the drugs were prescribed and sold, the manufacturers found a loophole by working through distributors and that is how distributors were brought into the lawsuit. Mr. Dorsey said that the fee for Napoli Shkolnik would be 25% of the net recovery. Mr. Dorsey said that Dr. Prezioso did some calculations for the Mental Health unit and came up with over \$300K in damages last year alone as a result of increased treatment of opioid related problems. The Coroners calculated a 33% increase in opioid related deaths last year alone. Mr. Hellwig said that even though the crimes committed initiate involvement of emergency services, most of the costs after the fact has to do with supervision, treatment and counseling through the Mental Health and Probation Departments. Mr. Hellwig also said that they were advised to expedite the decision making process because the State is looking at a potential global settlement to be worked out between the State of NY and the manufacturers, counties would need to be involved in litigation at that point to be included in the benefit. Mrs. Raymond inquired whether each county would be a separate litigant or if counties would merge lawsuits. Mr. Dorsey said that the Office of Court Administration has decided that since there have been so many of the law suits filed by counties, they have consolidated them before a single Judge in Suffolk County. How they are going to try the cases could be decided depending on how many counties file.

Mr. Johnson said that this item would be passed onto Law and Finance and a sub-committee would be formed to interview the two potential law firms. Meetings would be scheduled in late September and a resolution to retain one of the firms brought to the Board in October.

On a motion made by Mr. Richardson, seconded by Mr. Pemrick, the meeting was adjourned unanimously.

Respectfully submitted,
Therese Connolly
Deputy Clerk of the Board