

Mr. Forsythe called the Special Board Meeting to order at 5:20 p.m.

ROLL CALL: All Legislators were present. Mr. Burke and Mr. Sheridan attended via Zoom.

APPROVAL OF THE AGENDA: Ms. Curran moved to approve the agenda, seconded by Mr. Denesha and Mr. Perkins, and carried unanimously by a voice vote with fifteen (15) yes votes.

PRESENTATION OF RESOLUTIONS:

RESOLUTION NO. 36-2023

AUTHORIZING THE CHAIR TO SIGN A CONTRACT WITH CLEAR BALLOT GROUP, INC. FOR THE REPLACEMENT OF ABSENTEE COUNTING HARDWARE, SOFTWARE, AND EQUIPMENT AS WELL AS AUDIT HARDWARE AND SOFTWARE IN ORDER TO MEET ABSENTEE AND AUDIT REGULATIONS FOR THE BOARD OF ELECTIONS

By Ms. Curran, District 15

WHEREAS, Resolution No. 203-2021 approved the Technology Innovation and Election Resource (TIER) Program Grant funds that became available from the New York State for the Board of Elections for the period beginning April 7, 2021 through January 27, 2023 in the amount of \$95,379, and

WHEREAS, the Clear Ballot Group, Inc. is under State Contract and is the only certified vendor to be utilized to provide replacement of absentee counting hardware, software and equipment as well as audit hardware and software in order to meet absentee and audit regulations for the board of elections, and

WHEREAS, Clear Ballot Group, Inc. is identified as possessing the knowledge, expertise, required software, associated technology, and services to provide a quality solution to the needs of the St. Lawrence County Board of Elections,

NOW, THEREFORE, BE IT RESOLVED that the Board of Legislators authorizes the Chair to sign a contract with Clear Ballot Group, Inc., for the replacement of absentee counting hardware, software, and equipment as well as audit hardware and software in order to meet absentee and audit regulations for the Board Of Elections, upon the approval of the County Attorney.

Ms. Curran moved to adopt Resolution No. 36-2023, seconded by Mr. Denesha and Mr. Gennett, and carried unanimously by a voice vote with fifteen (15) yes votes.

RESOLUTION NO. 37-2023

AUTHORIZING THE CHAIR TO APPROVE AND SIGN A SETTLEMENT AGREEMENT BETWEEN TEVA PHARMACEUTICALS, LTD. AND ST. LAWRENCE COUNTY REGARDING AN ACTION RELATING TO THE OPIOID CRISIS

By Mr. Gennett, District 13

WHEREAS, in 2017, through its law firm Simmons, Hanly, Conroy, P.C., St. Lawrence County joined a class action lawsuit with numerous other municipal entities against Pharmaceutical companies, drug manufacturers and distributors, which included Purdue Pharma, and

WHEREAS, Purdue Pharma, Abbott Laboratories, Johnson & Johnson (also known as “Janssen”), McKesson Corporation, Cardinal Health, Inc., as well as others, were alleged to have created damages as a result of the usage and prescription of OxyContin to the general public, and

WHEREAS, St. Lawrence County has already reached terms of an agreement with manufacturer Purdue Pharma, and

WHEREAS, in addition to the settlement reached with Purdue Pharma, St. Lawrence County has already reached terms of an agreement with manufacturer Johnson & Johnson (also known as “Janssen”), McKesson Corporation, Cardinal Health, Inc., AmerisourceBergen Drug Corporation, PSS World Medical, Inc., Kinray, LLC, Bellco Drug Corporation, and American Medical Distributors, Inc. (the “Distributors”), and Allergan Finance, LLC, and

WHEREAS, there is pending the matter of County of Suffolk v. Purdue Pharma L.P., et al., under Index No. 400001/2017 in the Supreme Court, Suffolk County, regarding the opioid addiction crisis, in which the County of St. Lawrence is a named plaintiff in the action (the “Action”), and

WHEREAS, the Action is against several defendants, including manufacturers of opioids, distributors of opioids and chain pharmacies, and

WHEREAS, on July 26, 2022, Teva Pharmaceuticals, LTD. Pharmaceutical, Ltd., a generic drug manufacturer, as well as its subsidiary drug distributor, Anda Inc., announced a \$4.35 billion global opioid settlement agreement, and

WHEREAS, the proposal calls for Teva Pharmaceuticals, LTD. to pay up to \$3.7 Billion in cash over thirteen (13) years globally and provide what Teva Pharmaceuticals, LTD. estimates as \$1.2 Billion worth of the opioid overdose reversal drug naloxone (to be distributed at the federal level), and

WHEREAS, under the proposed agreement Teva Pharmaceuticals, LTD. will be required to pay as much as \$550 million in New York State, depending on the level of participation from other municipal entities statewide, and

WHEREAS, the State of New York, Nassau County, and Suffolk County are already signatories to the Teva Pharmaceuticals, LTD. NY Agreement, and

WHEREAS, most other political subdivisions in the State (including the City of New York) have an opportunity to become a party to the Teva Pharmaceuticals, LTD. NY Agreement by executing the Subdivision Settlement Participation Form and the Sharing Agreements, and

WHEREAS, under the terms of the proposed settlement, and assuming all incentives are met, St. Lawrence County will receive a total of \$690,226.94, with a portion of this money coming from the “Global” fund (consistent with the national global settlement amount), payable over eighteen (18) years, and

WHEREAS, it is in the best interest of the County of St. Lawrence to resolve this matter with respect to Teva Pharmaceuticals, LTD. without further litigation and enter into the proposed Agreement as it shall settle all allegations against Teva Pharmaceuticals, LTD. and avoid protracted litigation,

NOW, THEREFORE, BE IT RESOLVED that the Board of Legislators authorizes the Chair to approve the settlement agreement, and to sign, or have signed by his designee, the agreement between Teva Pharmaceuticals, LTD. and St. Lawrence County regarding an action relating to the opioid crisis, and

BE IT FURTHER RESOLVED that the Board of Legislators authorizes the Chair, or his designee, to execute the proposed Agreement in a form substantially similar thereto and execute such other documents as may be necessary and appropriate to effectuate the settlement with Teva Pharmaceuticals, LTD. and its subsidiaries, upon approval of the County Attorney.

Mr. Gennett moved to adopt Resolution No. 37-2023, seconded by Ms. Curran and Mr. Denesha, and carried unanimously by a voice vote with fifteen (15) yes votes.

Mr. Lightfoot made a motion from the floor to authorize the Chair to sign an agreement with the New York Power Authority to accept funds associated with road impacts from the Smart Path Transmission Project, seconded by Mr. Denesha and Mr. Reagen, and carried by a voice vote with fourteen (14) yes votes, and one (1) abstention (Terminelli).

CHAIR’S APPOINTMENTS

A. Official Announcement of Appointments to Advisory Boards for 2023: Mr. Forsythe announced the 2023 appointments of Board Members to various committees, boards, and councils:

- Adirondack Park Local Government Review – Carrie Tuttle and Ronald Robert (Alternate)
- Agriculture & Farmland Protection Board – Denesha
- Alternative to Incarceration Board – Burke
- Audit Committee: Hull and Reagen
- Fiscal Stability/Budget Review Committee – Fay (Chair), Lightfoot, and Webster
- Board of Health – Curran
- Board of Trustees for Supreme Court Library – Haggard

- Buildings and Grounds Committee – Denesha, Lightfoot, and Webster
 - Health and Safety Subcommittee – Denesha (Lightfoot and Webster as needed)
- Community Development Program Board of Directors – Burke
- Community Services Board – Haggard
- Consolidation – Fay (Chair), Haggard, Burke, and Lightfoot
- Cornell Cooperative Extension – Denesha
- EMS Advisory Board – Curran
- Environmental Management Council – Terminelli
- Fire Advisory Board – Denesha
- Fish and Wildlife Management Board, Region 6 – Sheridan
- Fisheries Advisory Board – Terminelli
- Gouverneur Fair Board – Smithers
- Health Insurance Committee – Forsythe (Chair), Hull, Lightfoot, and Perkins
- Highway/Solid Waste Committee – Smithers (Chair), Curran, and Lightfoot
- Indian Land Claims – Lightfoot and Forsythe
- Industrial Development Agency (IDA) – Reagen
- InterCounty Legislative Committee of the Adirondacks – Curran
- Jury Board – Sheridan
- Labor Management Committee – Forsythe (Chair), Lightfoot, and Perkins
- Legislative Liaison Committee – Lightfoot and Hull
- Negotiations Committee – Perkins, Forsythe, and Lightfoot
- Office for the Aging Advisory Board – Denesha
- Planning Board – Fay
- Recreational and Trails Advisory Board – Perkins
- River Valley Redevelopment Agency (RVRDA) – Forsythe
- St. Lawrence County Chamber of Commerce – Webster
- Soil & Water Conservation District Board of Directors – Burke
- Youth Advisory Board – Terminelli
- Vacancy Committee – all Legislators on a rotating basis

Temporary Committee Assignments – Ad-Hoc Committees:

- Advisory Board, Committee, and Council Appointment Committee – Terminelli (Chair), Denesha, and Forsythe
- ARPA Committee – Reagen (Chair), Hull, Fay, and Burke
- Electronic Medical Record – Burke
- Local Government Task Force – Curran
- Opioid Task Force – Curran
- Consolidation Committee – Fay (Chair), Haggard, Burke, Lightfoot, and Sheridan
- Snowmobile Association Oversight Committee – Denesha and Perkins
- Broadband Ad-Hoc Committee – Gennett (Chair), Burke, and Terminelli
- Family Court Judge Committee – Terminelli, Reagen, Smithers, Perkins, and Sheridan
- City of Ogdensburg Riverfront Property Committee – Reagen (Chair), Forsythe, Fay, and Sheridan
- Oswegatchie River Advisory Council – Reagen
- Committee on Snow & Ice Negotiations with Towns and Villages – Lightfoot, Smithers, and Don Chambers

- NYS Regional Advisory Committee for Open Space Conservation Plan – Curran and Walt Paul
- Repurposing Ogdensburg Correctional Facility Ad-Hoc Committee – Sheridan, Reagen, Forsythe, Dan Skamperle, Patrick Kelly, Steve Lawrence, Andrea Smith, Ruth Doyle, and Jason Pfothenhauer

ADJOURNMENT – Mr. Forsythe adjourned the January Special Board Meeting at 5:38 p.m., as there was no further business.