

**WAYS & MEANS COMMITTEE MEETING MINUTES
MONDAY, OCTOBER 23, 2017
1:30 P.M.**

PRESENT: D. Pangrazio, D. Mahus, D. Fanaro, D. Knapp, W. Wadsworth, E. Gott, D. LeFeber, P. Yendell, S. Hillier

REAL PROPERTY TAX SERVICES – BILL FULLER

Action Item(s) To Be Reported

1. **AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN THE FOLLOWING CONTRACT FOR LIVINGSTON COUNTY REAL PROPERTY TAX SERVICES DEPARTMENT: APPLIED BUSINESS SYSTEMS, INC.**

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is hereby authorized to sign the following contract for the Livingston County Real Property Tax Services Department, according to the term designated, subject to review by the County Attorney and County Administrator:

<u>Contractor</u>	<u>Term</u>	<u>Amount</u>
Applied Business Systems, Inc.	N/A	Not to Exceed \$10,000.00

26 Harvester Avenue
Batavia, NY 14020

For: Printing, insertion, folding and mailing tax bills

<i>Funding Source</i>	<i>Local Share</i>	<i>Budgeted?</i>
LC Budget	100%	Yes X No

Director Comments:

Per discussion on quote at the 9/25 Ways and Means meeting, the cost is \$.206/tax bill includes printing, insertion, folding and mailing.

Mr. Fuller reviewed earlier conversations on this matter and he had positive responses from the town clerks and assessors. He proposed that the assessors keep the services the same for each town. The towns will still be mailing them out. He hopes be set up in time to do town and county tax bills. He is suggesting folded and inserted plus an unfolded duplicate copy.

Motion: Mr. Gott moved and Mr. Wadsworth seconded to approve the foregoing resolution ... Carried.

Informational Item(s) to be reported

1. Response letter to Mr. Frederick Staley regarding public hearing comments. Mr. Fuller reviewed the letter that resulted from Mr. Staley's comments at the public hearing on 10/11/17 and the sewer district status codes. It is not good to set precedent for an exemption.

COUNTY ATTORNEY – SHANNON HILLIER

Action Item(s) To Be Reported

1. HIPAA POLICY-Mrs. Hillier reviewed the steps she has taken as the security officer for the County Compliance in preparing the HIPAA resolutions. The County Attorney and Clerk of the Board are working on resolutions to adopt the policy and procedures, appointing a security officer naming the County Attorney and designating the County as a HIPAA hybrid entity. These will be on our website

Motion: Mr. Fanaro moved and Mr. Mahus seconded to approve the foregoing resolution..... Carried.

2. **AUTHORIZING LITIGATION AGAINST MAJOR DRUG MANUFACTURERS TO RECOVER CURRENT AND FUTURE DAMAGES TO THE COUNTY FROM ABUSE OF OPIOID PHARMACEUTICALS**

WHEREAS, according to statistics provided by the Centers for Disease Control and Prevention, in 2014, there were 28,647 opioid overdose deaths nationwide, or 78 people per day, and a 14% increase in one year, driven by both prescription opiate abuse as well as heroin abuse, the latter often brought on by prescription opiate abuse, and

WHEREAS, a report of the New York State Comptroller in 2016 found that overdose deaths in New

York related to heroin use reached a record high of 825 in 2014, a jump of more than 23 percent from the previous year and nearly 25 times the number of a decade earlier, and that deaths in which prescription opioids were a contributing factor also reached a new peak in 2014, nearly four times the level in 2005, and

WHEREAS, opioid overdose emergency department visits and confirmed opioid overdose deaths continue to rise in addition to emergency responders delivering doses of the opioid antagonist naloxone, and

WHEREAS, various entities, including Erie County, Niagara County, Nassau County, Suffolk County, Orange County, Broome County, and the State of Ohio have pursued lawsuits against the manufacturers of pharmaceuticals containing opioids, alleging, in the words of the Buffalo Law Journal, that “pharmaceutical manufacturers misled doctors and patients into believing that opioid painkillers were not addictive” and that “the drug manufacturers aggressively marketed opioid pain relievers despite growing addiction rates, misrepresented the dangers of long-term opioid use to physicians and ignored that continued use of opioids diminishes the drugs’ intended result, requiring increases in dosage and ups the risk of addiction,” and

WHEREAS, the Nassau County lawsuit states that the pharmaceutical manufacturers “knew that opioids were effective treatments for short-term post-surgical and trauma-related pain, and for palliative (end-of-life) care,” but “they also knew – and had known for years – that opioids were addictive and subject to abuse, particularly when used long-term for chronic non-cancer pain (pain lasting three months or longer, hereinafter referred to as “chronic pain”), and should therefore should not be used except as a last-resort” and that “the U.S. Food and Drug Administration (“FDA”) has expressly recognized that there have been no long-term studies demonstrating the safety and efficacy of opioids for long-term use,” and

WHEREAS, it is appropriate that the County of Livingston should recover damages from those parties directly contributing to high costs to the taxpayers in the form of increased social services, policing, and other expenditures, so as to mitigate the impact of same, now, therefore be it

RESOLVED, that the County Executive is hereby authorized and empowered to commence civil litigation on behalf of the County against pharmaceutical manufacturers and other persons who have culpability in manufacturing and promoting opioid products in an unsafe manner which has caused current and future damages to the County.

There are two major law firms out of the New York City area handling this matter and she has spoken with NYSAC for a recommendations and also contacted both firms. Napoli responded quickly whereas Simmons never responded to her call. We owe nothing unless we collect a settlement with a max out at 20%. Mrs. Hillier feels that it is important for us to move forward now.

Motion: Mr. Mahus moved and Mr. Gott seconded to approve the foregoing resolution..... Carried.

OTHER – DAN PANGRAZIO

Action Item(s) To Be Reported

1. APPROVING ABSTRACT OF CLAIMS #10B-OCTOBER 25, 2017

RESOLVED, that the Livingston County Board of Supervisors approves the Abstract of Claims #10B dated October 25, 2017 in the total amount of \$2,071,178.48.

Motion: Mr. Gott moved and Mr. LeFeber seconded to approve the foregoing resolution..... Carried.

2. AUTHORIZING TRANSFER OF FUNDS – DEPARTMENT OF HEALTH

RESOLVED, that the Livingston County Treasurer is authorized and directed to make the requested transfers per the Budget Transfer Request Forms on file in the Office of the Clerk of the Board which have been approved by the Livingston County Administrator.

This is for an equipment purchase.

Motion: Mr. Gott moved and Mr. Wadsworth seconded to approve the foregoing resolution ... Carried.

3. AMENDING 2017 LIVINGSTON COUNTY BUDGET – HIGHWAY, OFFICE FOR THE AGING (2) & SHERIFF

RESOLVED, that the Livingston County Treasurer is authorized and directed to make the requested Budget Amendments per the Budget Amendment entries, which have been approved by the Livingston County Administrator.

Motion: Mr. Knapp moved and Mr. Fanaro seconded to approve the foregoing resolution..... Carried.

4. **DECLARING SURPLUS PROPERTY – HIGHWAY (DAN MILLER)**

WHEREAS, the County of Livingston owns surplus personal property that is no longer necessary for public use, now, therefore, be it

RESOLVED, that the Livingston County Board of Supervisors hereby declares the following item(s) as surplus property to be disposed of as determined by the County Administrator:

Highway Department

Quantity	Item Description (Year, Make & Model)	Mileage, Hrs, etc.	Serial #
1	Verus Edge Diagnostic Vehicle Scanner	N/A	SNXAP2ED6A7-US

Mr. Miller explained that a new engine scanner came out last year by SnapOn Tools. He had planned to continue on with the current scanner but he has now changed his mind after going through the product demo. There are benefits through buying now and trading in the current scanner. The Committee felt that the equipment needs to be declared surplus and go to auction to see how much is offered before determining whether to trade it in.

Motion: Mr. Gott moved and Mr. Wadsworth seconded to approve the foregoing resolution ... Carried.

5. **PROVIDING FOR PUBLIC HEARING ON PROPOSED LIVINGSTON COUNTY BUDGET FOR 2018 PURSUANT TO SECTION 359 OF THE COUNTY LAW**

RESOLVED, that the Livingston County Board of Supervisors, pursuant to Section 359 of the County Law, will hold a public hearing on the proposed Livingston County Budget for the fiscal year 2018 at 1:35 p.m. in the afternoon and also at 7:00 p.m. in the evening on Wednesday, November 15, 2017 in the Board of Supervisors Assembly Room in the Livingston County Government Center in the Village of Geneseo, New York, and, be it further

RESOLVED, that the Clerk of the Board will cause a Notice of Public Hearing to be published in the official newspapers of the County in a manner required by Section 359 of the County Law.

Motion: Mr. Fanaro moved and Mr. Gott seconded to approve the foregoing resolution Carried.

6. **APPROVING STANDARD WORK DAY AND RETIREMENT REPORTING FOR ELECTED AND APPOINTED OFFICIALS**

This information is being collected and the Clerk hopes to have it ready for the Board meeting. The list includes the District Attorney, two part time Assistant Conflict Defenders and three Assistant Public Defenders.

Motion: Mr. LeFeber moved and Mr. Mahus seconded to approve the foregoing resolution Carried.

7. **APPOINTING THE COUNTY ATTORNEY – SHANNON L. HILLIER**

RESOLVED, that the Livingston County Board of Supervisors hereby appoints Shannon L. Hillier as County Attorney for a four-year term to commence January 1, 2018 and terminate December 31, 2021.

Motion: Mr. Gott moved and Mr. Knapp seconded to approve the foregoing resolution..... Carried.

8. **RATIFYING TENTATIVE AGREEMENT WITH THE NEW YORK STATE LAW ENFORCEMENT OFFICERS UNION, COUNCIL 82, AFSCME, AFL-CIO, LIVINGSTON COUNTY DEPUTY SHERIFFS ASSOCIATION LOCAL 9050 AND AUTHORIZING EXECUTION OF A COLLECTIVE BARGAINING AGREEMENT**

WHEREAS, the collective bargaining agreement between the New York State Law Enforcement Officers Union, Council 82, AFSCME, AFL-CIO, Livingston County Deputy Sheriffs Association Local 9050 and Livingston County expired on December 31, 2015; and

WHEREAS, the negotiating teams for the parties have reached a tentative agreement for a new collective bargaining agreement; and

WHEREAS, the New York State Law Enforcement Officers Union, Council 82, AFSCME, AFL-CIO, Livingston County Deputy Sheriffs Association Local 9050 ratified the agreement September 7, 2017, and

WHEREAS, the Ways and Means Committee recommends the ratification of this agreement by the County; now, therefore, be it

RESOLVED, that the tentative agreement, a copy of which is attached hereto, is hereby ratified; and, be it, further

RESOLVED, that the Chairman of the Livingston County Board of Supervisors and the County

Administrators are hereby authorized to execute a collective bargaining agreement consistent with the terms of the tentative agreement commencing January 1, 2016 and expiring December 31, 2018.

Mr. Pangrazio reported that this is in line with other CBA.

Motion: Mr. Gott moved and Mr. Knapp seconded to approve the foregoing resolution..... Carried.

Pre-approved Informational Item(s) To Be Reported

1. SALT/Home Mortgage Interest Deduction Discussion-Mrs. Hillier reported that TFG put this letter together and we can decide whether to move forward as is or edit the letter. Chairman Gott explained that we have always supported these exemptions and he feels we should send the letter as is.
2. Board Salaries-The Committee members felt that a 2% increase is appropriate. The overall increase is 2% for collective bargaining agreements. We do not want to play catch up at a later date.
3. TFG 3rd Q Report-Chairman Gott would like the County Administrator to review the report at the next meeting.

ADJOURNMENT

Fanaro/Gott 2:08

Respectfully submitted,

Michele R. Rees, IIMC-CMC
Clerk of the Board