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**AGENDA OF THE SCHUYLER COUNTY LEGISLATURE**  
**SPECIAL MEETING – JANUARY 24, 2022 (MASKS REQUIRED)**

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Meetings of this Legislature are open and public but, unless otherwise published, are not Public Hearings permitting public participation. Members of the public are requested to respect this rule, affording others an opportunity to hear and observe legislative deliberations and decisions. "a time for public comment will be allowed after the opening of the official session for up to a thirty-minute period of time and at the completion of the agenda, for up to a fifteen-minute period of time." (per Resolution No. 39-1983). With regard to questions, to avoid faulty information, any questions deemed to be unanswerable shall be submitted in writing and answered as soon as possible. Remember, this is supposed to be a discussion time for the public to give their views of what is happening in county government.

"To make this meeting more comfortable to you, the Schuyler County Legislature should be aware of your physical, visual or hearing problems before the meeting."

1. Meeting called to order by Chairman Blowers at \_\_\_\_\_ A.M.
2. Pledge of Allegiance led by Legislator Lausell.
3. Moment of Silence.
4. Roll Call.
5. Announcement of Emergency Resolutions.
6. Public Participation (30 minutes).

Intro. No.	Res. No. 28	RATIFICATION OF SPECIAL MEETING
Motion by	Second by	Vote:
		Noes:

Intro. No.	Res. No.	
Motion by	Second by	Vote: .
		Noes:

7. Public Participation (15 minutes).
8. Meeting adjourned at \_\_\_\_\_ A.M.

Stacy B. Husted, Clerk

Resolution No. 28  
SCHUYLER COUNTY LEGISLATURE

Special Meeting  
January 24, 2022

Intro. No. \_\_\_\_\_  
Approved by Committee CHB-Individually  
Approved by Co. Atty. SJG

Motion by \_\_\_\_\_  
Seconded by \_\_\_\_\_  
Vote: \_\_\_ Ayes to \_\_\_ Noes  
Name of Noes \_\_\_\_\_

RE: RATIFICATION OF SPECIAL MEETING

BE IT RESOLVED, that this Special Meeting, pursuant to the call of the Clerk of the Legislature upon the direction of the Chairman, be and hereby is, ratified and approved for discussion and action upon the following items of business:

1. AUTHORIZING AND APPROVING SETTLEMENT AGREEMENT UNDER A LAWSUIT RELATED TO THE OPIOID CRISIS — COUNTY ATTORNEY'S DEPARTMENT

Resolution No.  
SCHUYLER COUNTY LEGISLATURE

Special Meeting  
January 24, 2022

Intro. No. \_\_\_\_\_  
Approved by Committee PCB  
Approved by Co. Atty. SJG

Motion by \_\_\_\_\_  
Seconded by \_\_\_\_\_  
Vote: \_\_\_ Ayes to \_\_\_ Noes  
Name of Noes \_\_\_\_\_

RE: AUTHORIZING AND APPROVING SETTLEMENT AGREEMENT UNDER A LAWSUIT RELATED TO THE OPIOID CRISIS — COUNTY ATTORNEY’S DEPARTMENT

WHEREAS, by Resolution No. 246 of 2017 the County of Schuylers authorized the Schuylers County Attorney to work with Napoli Shkolnik PLLC, as special counsel, related to bringing an action against the manufacturers and distributors of prescription opiates for damages to the County, at no cost to the County, and

WHEREAS, by Resolution No. 72 of 2018, the County enacted Local Law Intro. B/Local Law No. 7 of the Year 2018 entitled “A Local Law Declaring the Opioid Epidemic and its Effect on the County a Public Nuisance and Establishing a Cost Recovery Procedure,” and

WHEREAS, pursuant to the above, the County Attorney filed a nearly 250-page Summons and Complaint on May 11, 2018 against multiple manufacturers and distributors of prescription opiates for damages to the County, and such matter remains pending (the “Action”), and

WHEREAS, the Action alleges several causes of action against defendant Allergan Finance LLC (f/k/a Actavis, Inc., f/k/a Watson Pharmaceuticals, Inc.) and Allergan Limited (f/k/a Allergan plc, f/k/a Actavis plc) (collectively, “Allergan”), regarding the defendant’s alleged misfeasance, nonfeasance and/or malfeasance related to the manufacture and/or distribution of opioids, all of which allegedly contributed to a public health crisis in the County, and

WHEREAS, the State of New York and certain other New York subdivisions are also engaged in litigation seeking to hold defendants accountable for the damage caused by their alleged misfeasance, nonfeasance and/or malfeasance, and

WHEREAS, the State of New York and the New York subdivisions share a common desire to abate and alleviate the impacts of the alleged misfeasance, nonfeasance and/or malfeasance of the named defendants throughout the state, and

WHEREAS, Allergan will pay to the State and its subdivisions a total of approximately \$125 million to be allocated under the New York Allergan settlement and sharing agreements (“the agreements”), with payments to be divided into base and incentive payments, and

WHEREAS, assuming all incentives are met, and under the parameters of the agreements, the one-time direct payment to Schuylers County will total \$41,656.24, and

WHEREAS, there is a “most favored nation” provision in the documents in the event a final National Settlement provides for a larger recovery from Allergan than the agreements, and

WHEREAS, in addition to the financial payments discussed above, the agreements include an injunction restraining Allergan, its affiliates and its parent company from manufacturing, selling, promoting or lobbying for opioids for ten (10) years, and

WHEREAS, the County Attorney and Napoli Shkolnik LLC attorneys have approved as to form the above-described agreements, and

WHEREAS, settlement funds may be used for a variety of restricted and unrestricted purposes, including supporting law enforcement and first responders, treating opioid use disorder, addressing the needs of pregnant women and their families, preventing misuse of opioids, preventing overdose deaths and other harms, and related efforts, and

WHEREAS, it is in the best interest of the County to resolve this matter with respect to Allergan without further litigation and enter into the proposed agreements as it shall settle all allegations against Allergan and avoid

protracted litigation and provide county revenue as noted above, and

WHEREAS, this settlement is without prejudice to litigation against other defendants in the Action, which litigation remains pending.

NOW, THEREFORE, BE IT RESOLVED, that the execution and delivery on behalf of and in the name of the County of Schuyler by the Schuyler County Attorney, or his designee, of the above agreements is hereby authorized, and the Schuyler County Attorney or his designee, is hereby authorized and directed to execute the above agreements and execute such other documents as may be necessary and appropriate to effectuate the settlement with Allergan as set forth above.