

Public Health & Social Services Committee Regular Meeting Minutes

DATE & TIME: August 31, 2020 – 5:00 PM
LOCATION: Powered by Zoom Meeting by Dialing (646) 558-8656,
Meeting ID: 962 5689 0179
PRESIDING OFFICER: Chair Craig Lopez
LEGISLATIVE STAFF: Jay Mahler, Nettie Tomshaw, Laurie Lichtenstein
PRESENT: Legislators Bruno (5:06 PM), Criswell, Petit, Uchitelle
ABSENT: None
QUORUM PRESENT: Yes

OTHER ATTENDEES: Legislator Mary Wawro, Legislator Eve Walter, Deputy County Executive Marc Rider, Tom Kadgen LWV, Saugerties Police Chief Joseph Sinagra

Chair Lopez called the meeting to order at 5:00 PM.

Motion No. 1: Moved to Approve Minutes & Transcript of the August 3, 2020 meeting
Motion By: Legislator Criswell
Motion Seconded By: Legislator Petit
Discussion: None
Voting In Favor: Legislators Lopez, Criswell, Petit, Uchitelle
Voting Against: None
Votes in Favor: 4
Votes Against: 0
Disposition: Minutes APPROVED

- Saugerties Police Chief Joseph Sinagra, NARCAN Program Initiative (See meeting transcript)

Resolutions for the September 15, 2020 Session of the Legislature

Resolution No. 266: Setting A Public Hearing On Proposed Local Law No. 11 Of 2020, A Local Law Requiring Naloxone Stations Next To Every Automatic Defibrillator Equipment (AED) Unit At A Public Location, To Be Held On Tuesday, October 20, 2020 At 7:05 PM

Resolution Summary: This resolution sets a public hearing date on proposed local law No. 11 of 2020, requiring naloxone stations next to every automatic defibrillator equipment (AED) at a public location, to be held on October 20, 2020.

Motion No. 2 **Moved to Discuss Resolution No. 266**

Motion Made By: Legislator Petit

Motion Seconded By: Legislator Bruno

Discussion: See attached transcript.

Motion No. 3 **Moved to Adopt Resolution No. 266 As Presented**

Motion Made By: Legislator Bruno

Motion Seconded By: Legislator Uchitelle

Voting In Favor: Legislators Lopez, Bruno, Criswell, Petit, Uchitelle

Voting Against: None

Votes in Favor: 5

Votes Against: 0

Disposition: Motion Carried.

Motion No. 4 **Moved to Amend Proposed Local Law No. 11 as Submitted Before The Committee and Correct Resolution Title**

Motion Made By: Legislator Bruno

Motion Seconded By: Legislator Uchitelle

Discussion: See attached transcript.

Voting In Favor: Legislators Lopez, Bruno, Criswell, Petit, Uchitelle

Voting Against: None

Votes in Favor: 5

Votes Against: 0

Disposition: Motion Carried.

Motion No. 5 **Moved to Amend Proposed Local Law No. 11 To Include a Violation Penalty Section**

Motion Made By: Legislator Bruno

Motion Seconded By: Legislator Uchitelle

Discussion: See attached transcript.

Voting In Favor: Legislators Lopez, Bruno, Criswell, Petit, Uchitelle

Voting Against: None

Votes in Favor: 5

Votes Against: 0
Disposition: Motion Carried.

Motion No. 6 **Moved to Amend Proposed Local Law No. 11 to Include a New Section 6 Enforcement and Penalty Section (To Read Similar as the Plastic Ban Local Law Section for Language Purposes)**

Motion Made By: Legislator Bruno
Motion Seconded By: Legislator Uchitelle

Discussion: See attached transcript.

Voting In Favor: Legislators Lopez, Bruno, Criswell, Petit, Uchitelle
Voting Against: None
Votes in Favor: 5
Votes Against: 0
Disposition: Motion Carried.

Motion No. 7 **Moved to Approve Resolution No. 266 - Proposed Local Law No. 11 as Amended**

Motion Made By: Legislator Bruno
Motion Seconded By: Legislator Uchitelle

Discussion: See attached transcript. (All members request to sign on as co-sponsors)

Voting In Favor: Legislators Lopez, Bruno, Criswell, Petit, Uchitelle
Voting Against: None
Votes in Favor: 5
Votes Against: 0
Disposition: Resolution Adopted as Amended.

Resolution No. 317: Approving The Execution Of A Contract Amendment In Excess Of \$50,000.00 Entered Into By The County – Accucare Nursing & Homecare, Inc. – Emergency Management

Resolution Summary: This resolution approves the execution of a contract amendment #1 in excess of \$50,000.00 with Accucare Nursing & Homecare, Inc. to increase funding for on-site nursing services related to the COVID-19 pandemic. 100% County, Prior Amt. \$300K, Amd. Amt. \$150K, Total Amt. \$450K. Prior Term 3/10/20-3/10/21, Amd. Term 8/1/20 – 3/10/21

Motion No. 6 **Moved to Discuss & Adopt Resolution No. 317**
Motion Made By: Legislator Petit
Motion Seconded By: Legislator Bruno

Discussion: See attached transcript.
Voting In Favor: Legislators Lopez, Bruno, Criswell, Petit, Uchitelle
Voting Against: None
Votes in Favor: 5
Votes Against: 0
Disposition: Resolution Adopted

Resolution No. 324: Calling For Swift Implementation Of The New York State Drug Take Back Act

Resolution Summary: This memorializing resolution urges the New York State Department of Health to finalize regulations necessary to implement the Drug Take Back Act within 30 days.

Motion No. 7 **Moved to Discuss & Adopt Resolution No. 324**
Motion Made By: Legislator Criswell
Motion Seconded By: Legislator Bruno

Discussion: See attached transcript.

Voting In Favor: Legislators Lopez, Bruno, Criswell, Petit, Uchitelle
Voting Against: None
Votes in Favor: 5
Votes Against: 0
Disposition: Resolution Adopted

New/Old Business:

Legislator Laura Petit/Tom Kadgen - Drug Survey in Schools. (see attached transcript)

Chair Lopez asked if there was any other business, and hearing none;

Adjournment

Motion Made By: Legislator Criswell
Motion Seconded By: Legislator Bruno
No. of Votes in Favor: 5
No. of Votes Against: 0

TIME: 6:45 PM

Respectfully submitted: Nettie Tomshaw, Legislative Staff
Minutes Approved: October 5, 2020

Ulster County Legislature
Public Health and Social Services Committee

Meeting Transcript

August 31, 2020

Chairman Lopez

All right, well, I will call the meeting to order. And if I could get a motion to approve the minutes from our last meeting.

Legislator Criswell

I'll make that motion.

Chairman Lopez

Second?

Legislator Petit

I'm sorry, I'm muted. I'll second.

Chairman Lopez

Very good. Any discussion? All in favor?

Committee Members

Aye. (4-0) Leg. Bruno arrived 5:06 PM

Chairman Lopez

Very good opposed. All right. Well, then we will start tonight with the Saugerties Police Chief Joseph Sinagra. He's here this evening to discuss the Narcan program initiative.

Chief Joseph Sinagra

Right. How you doing?

Chairman Lopez

Good, good. So yeah, whenever you're ready, the floor is yours.

Chief Joseph Sinagra

All right. So, I want to just thank everybody for an opportunity to be able to speak to us this evening, I was contacted by Legislator Petit some time ago regarding a resolution that she and some other legislators were putting forth regarding implementing a program that Narcan will be stored with your automatic external

defibrillators (AEDs) and was kind of picking my brain about it. And I let her know that we started carrying Narcan here in Saugerties back in 2014. In fact, we the first agency in the county to carry Narcan. I have working knowledge of Narcan because I was a paramedic prior to being a police officer, and we used Narcan quite extensively.

Chief Joseph Sinagra

And the reason why I tell you that is because we, early on, after we initiated the program in 2014, we began putting Narcan in town owned AEDs. So, all our AEDs are in a secure box. When you open a door, an alarm goes off. Along with the AED there's also a kit that contains Narcan.

Chief Joseph Sinagra

Now what's really important about that is as a paramedic, the protocol for any unconscious unresponsive person, the first thing we push is Narcan. Then we would hook people up to defibrillators, you know, to an EKG monitor, rather. And we would use whatever intervention was required in order to bring somebody back.

Chief Joseph Sinagra

The importance of Narcan is that people have to understand that it's very harmless. I know that was some concern by some people when we first said we were going to put Narcan into the defibrillators. Well, what if the kids get their hands on it? Well, nothing bad can happen. That's what's really nice about Narcan is it's just simply an opioid inhibitor. So, it doesn't... if you give nor can to an infant, it doesn't cause any harm.

Chief Joseph Sinagra

But the benefits by giving somebody Narcan who has, who's overdosing on an opioid is extremely important towards saving your life. Because it's really, it's really the intervention that's required. On top everything else that paramedics do, the one thing that can reverse a normal opioid overdose is intervention with Narcan.

Chief Joseph Sinagra

And the reason why I say a normal opioid overdose is that we noticed, we all know that there's a lot of fentanyl laced heroin and other opioids derivatives out there. And the problem with that is you need more Narcan when you're dealing with more potent opioids.

Chief Joseph Sinagra

We've been very successful with the program. We've had no issues with anybody vandalizing AED boxes, nobody taking the Narcan out. We have a police officer who's responsible to periodically check those locations to ensure that the Narcan kits are still

there. And we to this date, knock on wood, we've had no issue. And that's been about since 2015.

Chief Joseph Sinagra

So that's one thing that we're doing. And the other thing that's... I really don't know how much you want me to expand on what we're doing up here as far as opioids. But back in December, we became an Opioid Prevention Provider, which means that we have a stock of Narcan here at police headquarters, myself and officer Dave Stoutenberg received online training in the administration of Narcan. So, we train. So, we took a train-the-trainer course. And now we train individuals here at police headquarters. How to use Narcan. We do it on a one-on basis since the pandemic. Prior to that we were actually running classes we get upwards of 30 to 40 people over at our Senior Center to attend the classes and get certified in administering Narcan.

Chief Joseph Sinagra

Not really sure if you had any particular questions, if I answered your questions if this is what you thought I'd be presenting to you tonight. So, I open the floor to everybody there.

Chairman Lopez

Anybody have any questions?

Legislator Petit

Yeah, Chief, I think one of the main concerns, of course, was that the financial aspect of it, you did answer the, you know, the medical and the training concerns. Is it very expensive to run this program?

Chief Joseph Sinagra

No, because what I would do is, and I don't know if the county has done this yet or not but go out and get certified to be an opioid prevention provider. It costs no money. The requirements are that you have willing staff to go out and teach. You're going to have to have a medical control. In our case, we use Dr. Ricardo Esposito, from Broadway, in Kingston. We have not found any doctor, quite honestly, when we solicited the medical profession as far as looking for a medical advisor. We had no problem with a doctor stepping up and saying, "Yes, we'll oversee your program."

Chief Joseph Sinagra

And really the responsibility is twofold. Number one is to make sure that when we're going out and teaching that we're doing it with certified instructors. And the second part of it is the doctor is the medical control as far as the scripts are concerned for obtaining the Narcan. And that's provided to us free from the state.

Chairman Lopez

I think some of the concerns regarding the expenses had to do with the actual, like installation of potential cabinet in order to store the Narcan. And I guess, if they're going to be paired with an existing defibrillator, then that kind of eliminates having to build something separate, correct?

Chief Joseph Sinagra

Correct. And there's... I'm sorry, I don't mean to interrupt you. But the Narcan is loose in there with the AEDs. So, we didn't have to come up with any special container to hold the Narcan. The Narcan is in a box. And it's right with the defibrillator. It's right in the same pouch with the pads.

Chairman Lopez

Okay, and being that the Narcan would be required anywhere that there's defibrillator, then there's potentially a place where it could be stored that wouldn't be at any additional cost to, you know, the proprietor, the restaurant, you know, owner or wherever it may be required, then so, I think it kind of answers that we had on that.

Chief Joseph Sinagra

I guess the one thing that I can't... I'm not an expert to answer the question to is... the county would have to take a look into how do you provide the Narcan to a private business. You know, everything right now that we do is municipal. So, there's where our defibrillators are located, in municipal buildings. So, we don't, you know, that's, that's something that... I can't answer that question. And I want to make sure I'm not leaving any false information with you. So, that's something you would have to take a look into is can your opioid prevention program provide that much Narcan? Because if you're going to make it a countywide, where, you know, every commercial business was required to have Narcan, I think the state would have a concern about supplying that type of stuff.

Chairman Lopez

Now, is it every business that has a defibrillator that's required to carry Narcan? Or is it every business that would be...?

Chief Joseph Sinagra

What we have here in Saugerties is just our municipal complexes. We made it a priority that the municipal-owned buildings in both the Village and the Town, where AEDs exist, that we have Narcan kits available there.

Chairman Lopez

Okay.

Chief Joseph Sinagra

Okay. So, we have not rolled this out under a local law to any community businesses. I think that's pretty catchy endeavor here with Legislator Petit.

Chief Joseph Sinagra

Right. Pete.

Legislator Criswell

So, how does somebody know that there's a Narcan kit in that unit, where the defibrillator is?

Chief Joseph Sinagra

Okay, so we've made it... we publicize it when we did it, was number one. We discussed it at town board meetings. And all the, since these are municipal buildings, there's town employees here. The employees are aware the fact that the Narcan is also within the defibrillator.

Legislator Criswell

Is in marked on the outside that says that this unit contains blah, blah, blah, right.

Chief Joseph Sinagra

No, there's nothing on the outside. It's just a defibrillator unit. So, we don't have anything here that also contains Narcan.

Legislator Criswell

Would that be helpful for people to see that there is Narcan in that?

Chief Joseph Sinagra

Well, if you're going to roll it out where you like, say gym has to have a defibrillator. Yeah, it would be very helpful that there was some sort of notification that this unit also contains Narcan.

Chief Joseph Sinagra

But you know, the, the biggest thing is education. So, when you, when you roll something like that out, you have to make sure that the stakeholders that would be in the vicinity of these AEDs are fully aware of the fact that they also contain Narcan kits.

Legislator Criswell

Thank you.

Chief Joseph Sinagra

You know, and that's something that where, if the county was to roll that type of program out, your opioid prevention providers, when they do trainings will be able to notify that would be one component, notifying community members that AEDs would also be containing Narcan kits.

Legislator Petit

And it is under the regulations in Section C that there should be signage, or notice, that that is part of this proposal. Al keeps raising his hand.

Chairman Lopez

Yeah, go ahead, Al.

Legislator Bruno

One of the things I thought of when this project came out, and I kind of gleaned it from Erie County with what they've gone through - Chief if you work with them at all. The Boy Scouts are a great asset to us. And a project such as this could actually be part of an Eagle Scout project of making little boxes and signage, to go at each AED space, maybe put the thing right alongside of it. And it wouldn't require a whole lot to get the Boy Scouts involved in something like this. They're always looking for Eagle projects, and something as simple as putting lettering on them. I mean, the cost on... And first of all, we have to know how many we have. How many we are dealing with 100 of them or are we dealing with 5,000? That's the first thing.

Legislator Petit

There are 125. Did you want me to resend that? in the county? We got something from Laurie. But there's 125 in Ulster County.

Legislator Bruno

Right. Right now, correct. Right now, this is going to go long-term. I mean, this is going to be something that's going to expand, I'm sure. So, what I'm saying is once we have an inventory, we're all they are, there's 125 right now in the county. That's a project. I mean, you can make it make birdhouses, basically, is what we're talking about, you know, of sorts, to put these in with the proper labeling. I don't think that should be much of a cost, if any cost, to the county at all.

Legislator Bruno

And as far as training goes, I think when one of these is put, just like EMS trains on IEDs. I think they can go hand-in-hand with the Narcan at the same time providing that they have the certification for that. I don't think... Is that a problem, Joe?

Chief Joseph Sinagra

No, I think what you what you would do is, and that's a great way of getting the Narcan out there, is that wherever you're going to put this, they, we would go out, you can get your opioid prevention providers in the county. And we'd be more than willing to do it. Come out and teach. And it doesn't take long to teach it this. The longest part of educating people on the Narcan program is the history of the opioid epidemic. It's really five minutes training when it comes down to teaching someone how to use Narcan and how to administer it.

Legislator Bruno

I took one of the classes my wife and I, at the Senior Center. Yeah, it really is pretty cool. It's quick.

Chief Joseph Sinagra

Yeah. And if you're doing it through the opioid prevention program, you're dispensing free Narcan. So, you're getting Narcan for free from your opioid prevention provider. We're getting it free from the state, and you're distributing it free to the community.

Legislator Bruno

So, the only thing is the education on whether we're replacing it.

Chief Joseph Sinagra

Correct.

Legislator Bruno

And that's not as big of a deal as you as you might think.

Chief Joseph Sinagra

Right.

Legislator Bruno

Now, does the State train you to be a trainer? Is that how it is?

Chief Joseph Sinagra

Yeah, well, actually, because of the pandemic, the training is now online. So, you can actually take an online course it takes about 35 to 40 minutes to do the course. And you can get certified as an instructor in the administration Narcan.

Legislator Bruno

Actually, that will delay pretty much anybody's fears on how this could be administered. I think it's probably the easiest things we can do in the fight against opioid addiction.

Chief Joseph Sinagra

And your training is free by the way.

Chief Joseph Sinagra

You know, I think it's important if there's one thing I can leave you with. You're going to get some pushback from people that may say that you're enabling the use of opioids by providing Narcan. I hear it here sometimes from people. And you got to really, it's through education that you can dispel that myth. This is about saving lives. It's not about enabling people to use drugs.

Legislator Bruno

Or enabling somebody to have a second chance they never had.

Chairman Lopez

Very good. All right. Any other questions? All right. Well, appreciate the information. Thank you for joining us this evening.

Chief Joseph Sinagra

If you need to get a hold of me afterwards, just call me here at police headquarters anytime between eight and six and 8am-6pm. You can get hold of me.

Chairman Lopez

We'll do. All right. Thanks, Chief.

Chief Joseph Sinagra

Be safe.

Chairman Lopez

Take care.

Chairman Lopez

Alright, very good. We will move on we'll get into resolutions. Beginning with resolution 266 is: Setting A Public Hearing On Proposed Local Law No. 11 Of 2020, A Local Law Requiring Naloxone Stations Next To Every Automatic Defibrillator Equipment (AED) Unit At A Public Location.

Chairman Lopez

So, moved for discussion.

Legislator Petit

I'll move it.

Legislator Bruno

I'll second it.

Chairman Lopez

Very good. All right. Well, I last month, we took no action on this. The committee had some concerns and some questions and Laura's going to get some answers and bring it back this month. And so, yeah, if anybody has any questions regarding, yeah, the potential answer to what you're worried.

Legislator Bruno

You need to entertain a motion to...

Chairman Lopez

I think we already did, so. Yeah, no, no, we already seconded so, discussion, Laura.

Legislator Petit

I mean, I did, I took into account, you know, again, the concerns about the administering of it, the training and, of course the Co-Op. And when I got in touch with Chief Sinagra through Phoenix who does a program, very good program out in New Paltz. And also, with Juanita, who's doing HEALING in New York. You know, I thought we had some good responses to those questions. They were put into the second draft of the resolution. Which I'm on this other computer. I do see that it's been, I highlighted them. So, you can see them. But it did address the signage. We added that you don't have to go out and actually buy a medical case. You certainly could they have some real attractive ones, but it can be put into the AED case itself. So, I don't know if there's any other questions beyond. You know, what was added, the revisions that were made. And hopefully the revisions are clear.

Legislator Petit

So, we also got from Laurie Lichtenstein. She looked into how many ad units there were in Ulster County, she sent us a detailed list, which is pretty cool. Did you all get that, too?

Chairman Lopez

I did. Yeah, you know, I was pretty satisfied with what had been addressed. My biggest concern was the potential cost to already struggling businesses out there and it was going to be significant than how, you know they would have to come up with you know, the money have those installed. But look, if the Narcan is going in already existing you know, defibrillator cases, then I think that kind of addresses that issue.

Chairman Lopez

I think overall it's, it's a, it's a good thing. And you know, and if we can potentially save lives, at minimum costs, or no costs, then I think it's a, you know, a good approach to, you know, combating what's been out there for quite some time. So, with that said, you know, I and I'm happy to move forward with this and whatever the pleasure of the committee is, and I will, it's up to you guys as well.

Legislator Uchitelle

I think that we should move forward with it. But I do think we should be prepared to address questions people might have, and that I kind of have about, but not really a question, but just recognizing that this is going to be, this is going to kind of hinge on how its rolled out.

Legislator Uchitelle

If it's like, do we send a sticker to all of them to put a sticker that says Narcan on the box, right, because that's part of the rollout. Do we send a letter to all of them that says, you know, you can get the Narcan, you can fulfill this mandate for free if you follow these steps. So, there's the rollout of it is something that I realized doesn't have to be outlined in the legislation but is something that whether it's, you know, from the County Executive's Office that would, or you know, you know, just generally on the Executive side through Public Health, that would be rolling it out or whatever it ends up being. That's something that the implementation on the actual rollout, the promotion of it is probably going to be one of the most critical pieces.

Chairman Lopez

Definitely, with this there's usually, you know, a small advertising cost that's appropriated. You know, \$500 or something along those lines. Which may be adequate to cover what you had mentioned on stickers or letters or something that's going to go out to the people that are required now to...

Legislator Bruno

You could also reach out to the Chamber of Commerce.

Legislator Petit

Mm hmm.

Chairman Lopez

Sure.

Legislator Criswell

So, section five is a little vague, and if we're okay with it, I'll be okay with it. But it's the enforcement piece of it. It's something that I brought up last time. You know, if the business just doesn't do it, what's going to happen? What's the repercussions?

Legislator Petit

So, I'm pulling it up now. Oh, the enforcement. I don't have it on this where I highlighted it, but counsel had put enforcement in.

Nettie Tomshaw

Yeah, Laura, look in your OneDrive. I put it in just now. I don't know if which one was older.

Legislator Petit

Yeah, legal counsel did a good job on the enforcement part of it. I just noticed on the one I've been shooting around, it just said enforcement highlighted. So....

Legislator Uchitelle

Basically, it just says that there will be enforcement and it will be directed by a department in the Executive's Office. That's what would happen, or anything like that. It's so it's so it's vague, for sure. And we're okay with that just saying, okay, the Executives, some office in the Executive's Office is going to deal with this, but we're not spelling out anything clearly about what the enforcement is.

Legislator Petit

No, I mean, I didn't really, I didn't feel comfortable with enforcement putting in fines. I mean, this is a public service, and, you know, to hit a gym or, you know, even a municipality for \$500, \$1,000. You know, I'd much rather do it through education. You know, I'm thinking the enforcement's going to be going through the Department of Health and, or Mental Health. And of course, basically every town at this point has

trainees and trainers. I preferred it that vague, without again, you know, hitting them with large fines for not doing it.

Chairman Lopez

If there isn't an enforcement aspect of this, then it's kind of like a volunteer type-basis. Then because if there's nothing holding people accountable if they don't do it, then what's the drive to make them do it besides, you know, a moral obligation or doing the right thing? Which, you know, people always, don't always do the right thing.

Legislator Petit

Deputy Rider is flagging you down. I think he's got a response.

Chairman Lopez

Okay. Yeah, sure. Okay, go ahead, Marc.

Deputy Executive Rider

I do think this is similar to like some of the local laws that have passed with leaving, I don't think that that enforcement section is saying that there's no enforcement. I think it's just saying that it'll be left up to the department, assigned by the County Executive, which is similar, I think the composting local law had similar language. I think even the paper bag local law had similar language. We'll promulgate rules.

Deputy Executive Rider

You know, I don't think I would be supportive of this if we were really coming in heavy handed to businesses right now in the middle of COVID. And everything that they've been through, where we're going to fine people. But I think we can go around, and we can do an educational piece where people know that they need to put this out and we can follow-up and enforce that they, that they're having this here. The county is going to provide the Narcan and there's no reason not to put it in your AED.

Legislator Bruno

Agree. I think both Laura and Marc are right. I don't think we need to put fines or anything. I think that's over the top as well. And I think, actually, by the way, it's written in section five, is leaving that part of the decision up to the department that the Executive is going to appoint to it, whether it be the Department of Health or Weights and Measure, whoever is in charge of the actual implementation of it. I think that they are going to be the ones to make that decision, not us.

Legislator Criswell

I just wanted to mention that I never mentioned fines. So, just to be clear.

Legislator Bruno

Typically, enforcement means something like that.

Legislator Criswell

I never mentioned fines for this. So, I just want to be clear on that. And I just want to be clear that the language is vague. And if we're okay with the vague language, I'm okay with that. But we have to recognize it is vague language in this resolution.

Legislator Bruno

And I think it's done intentionally. I think it's a good idea. I really like the way that it is.

Legislator Uchitelle

Yeah, I'm comfortable with it.

Chairman Lopez

Are these usually ironed out prior to moving forward with any local law? Instead of, you know, kind of leaving it open and then, you know, figuring out when and if it's past? And, and if so, are there do we are there any examples of other laws that we've done the same. And Marc, you had mentioned like the paper bag law, it was kind of vague, and how they were going to enforce it. But were those issues addressed prior to coming to the floor, and being voted on?

Deputy Executive Rider

Not before it was voted on, before it was implemented. I believe there was, kind of like, think of it as, you all are passing the laws... think of it like on the federal level, there's, or even state, there's regulations and there's laws. And I think the regulations came, or the rules came behind the laws, on the paper bags. I think even composting. We're not there yet, because implementation keeps getting pushed off for various reasons. But...

Chairman Lopez

Right. Now, if this if this went to a public hearing, and people, you know, had concerns in the public hearing, were raising concerns about how it was going to be implemented. And what are the repercussions if people don't follow through? You know, and we don't have answers for them on, you know, how can we be accountable to the public if we don't have an idea of how that is actually going to happen?

Legislator Bruno

Is there is there anything with the AEDs currently? Is there any kind of enforcement under that?

Deputy Executive Rider

That's a state, I think, I don't know. It's a state regulation or law. So, I'm not sure what the... I would think that there would be some kind of enforcement on that. But that's done through a different mechanism. I'm just going to go back and look at some of the other recent laws. I just don't want to make something up.

Legislator Bruno

So, I could touch on a real rough nerve, that maybe might change my mind.

Chairman Lopez

Now, um, that is, this is, Laura, is this something that that you think we should address, as well, prior to moving forward with? I know, it's a public hearing. And then, you know, my concern is if we, if we figure this out later down the road, and it, it potentially changes the law enough, that would have to go to another public hearing to be approved, then, you know, I wouldn't want it to be set back because, right now, it's somewhat incomplete and how this is going to be implemented.

Legislator Petit

Yeah, I mean, I've been scrolling through the New York State Health page, you know, for weeks, and I don't see other than it being mandated in swimming areas and public areas. Didn't really find any strong language for the enforcement. And when Chief Sinagra and I had chatted, he said, you know, a lot of that is left up to their OPP Officer, their Opioid Prevention Program coordinator, who goes in and makes sure that the Narcan units haven't expired and that they are actually in there. So, I mean, I think as far as enforcement goes, I think it's strong enough.

Legislator Petit

And you would ask for other laws. I mean, we have the straw law, we have the plastic ware law, the composting, it's all... You know, going in with guns blazing, especially now, isn't going to help. But knowing that those Narcan units are there and available to the public, it's going to make a big difference. I don't know if it was Deputy Rider or Deputy Milgrim I spoke to, but it's my understanding that we have them in the county building, and security used them at least three times, since they've been there. Is that correct.

Deputy Executive Rider

Pat has not, the security officer in the County Office Building has Narcan on him and has used them in the past. Not inside the building but out. Like in the memorial, he's found a couple times where he's found people unresponsive on the benches out there and used Narcan.

Legislator Bruno

Could this fall under, possibly fall under code enforcement, like building code enforcement? Like there's no fine if you don't have a grounded receptacle, but you're not going to going to get a C of O without it. Kind of something along those lines. Like there's no real strong fine. It just becomes a code that you have to have it, end of story, without necessarily being, to have that implied. I think Laura is absolutely right. I don't think we need to overthink this. It just becomes a code, because it code.

Chairman Lopez

Sure. And I understand that. I don't think it's a matter of overthinking it. I think it's a matter of, you know, putting together the best law we can and a complete law. That that way, if there are any unanswered questions, I feel somewhat uncomfortable if this is going to go to a public hearing, and part of the public hearing somebody asked that is now how are we going to enforce this?

Chairman Lopez

And I and I don't look at it as coming, you know, guns blazing or whatever, or in implementing large fines, I just want something that has a little bit of teeth, that's going to not necessarily incentivize people to do it, but hold them accountable somewhat if they don't. Because if you have a law that says yeah, you know, this is, this is what we think is best and what makes them, you know, just say, yeah, that it's a good idea, but we're not going do it. You know, and there's 124 potential places out there, and there's nothing that really making them do it except the, you know, mandate that doesn't, you know, have any teeth that's going to enforce it, then why are they going to do it? Except for a moral obligation? And I can't really, you know...

Legislator Bruno

Well, it the same thing with electrician's license. So, I mean, is there really much of a difference? We have codes, and that's what is required? Are there fines that go with it? No.

Chairman Lopez

Well, I...

Legislator Bruno

I say fines, but I mean, as far as enforcement goes, I think it's one of those enforcement is going to be vague no matter what you do with it. Because who's going to be the one to actually pull the trigger on who's going to be the one to write the ticket or whatever it may be?

Chairman Lopez

Sure. Abe and then Pete.

Legislator Uchitelle

So, I think the question is... I don't think it's does this have the teeth or should we put more teeth in enforcement here? It's really do we trust the executive to enforce it. And I do, I think if they choose to take a path like not, you know, approving new, you know, through the health department not approving new restaurants that don't, you know, comply with this when they have to comply with the AED, then that's, you know, that would be fine with me.

Legislator Uchitelle

If we don't feel as the Legislature that the Executive is fulfilling the spirit of it, because they're not enforcing it, we can always deal with that later. But I think it would be really hard to go to the public right now and say, "Hey, we have this really, you know, thorough enforcement mechanism." When you know, I think, you know, to Legislator Lopez's point, this is just not a time for that. In this moment here, I think we have to have a little bit of trust and a little bit of flexibility.

Legislator Uchitelle

And I think it's a lot easier for us to bring this forward, in this format, than it would be to bring it forward in a much more, you know, complex format. Even if there was a perfect enforcement mechanism out there that we could get to, and, you know, tell the public, hey, we figured everything out here and this is never going to change and we're codifying it now. I think we leave ourselves the opportunity to make it more, you know, stringently enforced. And if we feel we need to do that through legislation, we can do that later. And until then, I am comfortable with the Executive's Office enforcing this.

Chairman Lopez

Yeah. And to that point, the Executive Office enforcing what? Yeah, and enforcing the policy, but it's, it's up to the Legislature to create the policy of what to enforce. What are they going to be enforcing if we don't, if we're not laying out specifically what has to be enforced?

Legislator Uchitelle

I think that's laid out. I think it's clear that we're the spirit of this is that businesses required to have an AED is required to have Narcan available at that site, and I think that that is clear. If we're debating that, that's totally fine. I just... that's not my understanding of what we're debating at this moment.

Chairman Lopez

Pete.

Legislator Criswell

I wonder if I could at least draw it down one more level and identify the county department that's going to be responsible for this?

Legislator Petit

I mean, I would prefer to leave that up... I mean, generally, as policy makers, we leave that up to the County Executive's Office to make that decision. Unless it's something very clear. And there have been times where I clearly would have thought it would be the Health Department, they've put it under Weights and Measures, or whatever. Yeah, and it could be that another department may come along. I mean, we don't know what's going to happen in our future 10 or 15 years from now. So, it could be very different, and it could be another department has been reassigned, you know, the overview.

Legislator Criswell

So, again, I will make myself perfectly clear, I am totally for this resolution 100%. I just feel that if this is going to be a public hearing, this is vague. And I feel like somebody is going to call us on it and say, what does this actually mean? So, I agree with Legislator Lopez that we have to somehow be prepared to say what this means, or say we are intentionally leaving this vague because it will then be implemented blah, blah, blah, blah, whatever we do.

Legislator Uchitelle

The second one.

Chairman Lopez

Right. So yeah, now and I agree with that as well. And, and what what's the... How does everybody else feel about it, then. Are you comfortable moving forward? Because to Pete's point, and the point that I'm trying to make is, you know, I would rather get it right now. You know and be comfortable moving forward with the best piece of legislation possible then, you know, saying, hey, we can come back to it, or we can add this or whatever later. Because if...

Legislator Bruno

What do you think Craig? What do you think as far as, I mean, you keep asking what if, but I'm going to be blunt. What do you, how, where do you think we should go with it? How do you think we should address that?

Chairman Lopez

Well, I think that there has to be some sort of enforcement policy. And I and yeah... And to Abe's point, as well. All right. I maybe it was you, Al, you had said with the electrician licenses. You know, I can't remember off the top of my head, but I'm pretty sure that there that there's a consequence to practicing without a license. Yeah, and whether that's fine, or, you know, something else that was implemented, there has to be something that holds them accountable if they practice without.

Chairman Lopez

And, you know, I just don't trust that people are going to do the right thing, you know, with this. You know, and I would want something that's going to hold them accountable if they don't do it, you know. Unless you, like, unless you make this into, you know, a volunteer type basis, and then you're not going to need an enforcement because then it's up to the proprietor whether they're going to do it or not.

Legislator Bruno

You think we should take the enforcement clause right out of the resolution?

Chairman Lopez

Well, if you make it a volunteer basis, then you don't need the enforcement clause. But if you're if you're going to mandate that they do it, there's, you know, there has to ... In my opinion, there has to be, you know, a consequence for not doing it in order to, you know, make them do it, and then hold them accountable if they don't.

Legislator Petit

Marc's got his hand up.

Chairman Lopez

Oh, Marc, go ahead.

Deputy Executive Rider

So, on the prior pieces that I've just looked through, I look through three or four, the enforcement section is basically almost identical to this section. What this doesn't have that those other ones oftentimes have, is violation penalties. Which could be anything from a warning. So, I'm just reading off of the plastic carry out bags and recyclable bags. It says the first, you know, time it's a warning, the second time is a fine of \$100 for the first violation. A fine of \$250 for the second violation, etc. So, that is the one piece that...

Deputy Executive Rider

I think the enforcement aspect of what department is going to enforce, and how we go about the rules and regulations, could probably be left as is. If you all want to add some kind of penalty, whether it be a fine, or a warning, whatever. That's, that's up to you all. But I do think, again, going too large on it is going to be difficult for many of the restaurants and other... You know, gymnasiums are just opening back up. They've been out of business for the last six months.

Legislator Petit

And of course, the other way to look at it is if it is in our code or law, if they're not complying, that leaves them open for litigation. You know, somebody runs over to the AED case, and goes to grab the Narcan, and it's not in there. But I mean, if it's the will of the committee to put fines in there, we can do that now. It's just the addition of an additional, you know, it's a penalty clause.

Chairman Lopez

Yeah, you know, I just think that that'll, it'll give it credibility. You know, it'll, I think it'll act as a deterrent. You know, granted, how many people are actually going to not go forward with it. You know, I don't know. But at the same time, yeah, if they know that there's potential repercussions, it'll incentivize them to do it, whether they want to do it or not. And I just think it's a better approach.

Chairman Lopez

You know, I want the best piece of legislation, now. I want to be able to tell the public, you know, this, this is what it is. It's the policy, this how it's going to be implemented. And these are the repercussions if it's not followed through. It just takes kind of the guesswork.

Chairman Lopez

And we would have to know who's going to enforce it. Of course, the Executive will enforce it, but through which department will it be enforced? It's through, you know, the Board of Health, is it through the DA's Office? Is it through on, you know, potentially the County Attorney, if there's any potential litigation. How are we going to move forward in a complete way? That way, you know, we don't have to come back and potentially change this later.

Legislator Bruno

So, to move this forward tonight, what would it take to make you comfortable? That we come up with numbers for potential violation fines?

Chairman Lopez

Well, this is this is a public hearing that's in front of us.

Legislator Bruno

No, I understand that.

Chairman Lopez

So, to move forward with a public hearing, when you're going to change the law or add to it, that may potentially change it enough, that would require another public hearing, I think would not be the right approach. I think that we would have to change the law and bring the changed law forward at a public hearing that reflects the changes.

Legislator Uchitelle

That's what he's asking. I think he's asking what are those changes?

Chairman Lopez

Yeah. I said, so what are the changes? The changes would, number one, we would have to, we would have to figure out who's going to enforce the law, what department is going to go through. And then if we can potentially implement, you know, small initiatives that will deter people, if that's a warning and a potential fine. I think that that's the way to go. That will make me most comfortable.

Legislator Petit

So, we should delegate which, you know, for the Executive, delegate which department is going to be enforcing this?

Chairman Lopez

I would believe so. Yes.

Legislator Bruno

But doesn't the Executive ultimately have the ability to say, yeah, I want to put it to Weights and Measures, let them enforce it as opposed to the Department of Health?

Legislator Petit

Or buildings and grounds?

Chairman Lopez

And that's fine, but that's something that we would have to figure out. That way we can include it in the policy.

Legislator Bruno

I mean, at face value, it makes sense to be the Department of Health.

Chairman Lopez

Right.

Legislator Bruno

But on the flip side, though, it could also be a code enforcement issue where you're not going to get a C of O if you don't have all the equipment in the building.

Deputy Executive Rider

Yeah, but we don't give... I mean, here's the tricky thing, this needs to be looked at further than I'm ready to say right now. Our Health Department doesn't have any jurisdiction over many of these buildings that you're going to require. Our Health Department has jurisdiction over restaurants and other things. But gyms, beside the governor, two weeks ago, saying that we now have to look at the reopening plans of the gyms, we had no jurisdiction in a gym. Other public buildings that this... I have not seen the list of 125. I am not, I wouldn't be comfortable just saying... for you all to say hey, Health Department should be the one right now. Or Weights and Measures, which I don't think would make sense on this one. But...

Legislator Bruno

That's why we left... the wording leaves it up to the Executive.

Legislator Petit

Yeah.

Chairman Lopez

Right. Laura, let me ask you this. Do you feel that this is that time sensitive that we should move forward with a policy, that in my opinion, and I believe in Pete's opinion, as well, as somewhat incomplete and should be addressed? Or is this something that you're willing to hold off on for another month? Get it right. Have these questions answered. That way we can put together the most... the best comprehensive piece of legislation to move forward. Present it to the public, as is, without any holes and give them an opportunity to weigh in, and then move forward?

Legislator Petit

I mean, I don't want to say it's time sensitive, but I believe with, you know, with the COVID, with the increase in opioid deaths and use. I think it's important that we get it done as soon as possible. And I'm not quite sure, I mean, I'm happy with it is written.

So, I'm not sure, you know, who, you know who's going to be making the additional revisions.

Legislator Bruno

So, make it voluntary, initially, to get it out there and get a rolling. And then as, first of all give us a great barometer to see who's not going to comply. And then if we have to pass another resolution in the future as far as making it mandatory in a way that has fines and or penalties for not complying.

Legislator Petit

Right.

Legislator Bruno

We can do that in separate resolution.

Chairman Lopez

And that would be the that would be the alternative. If you wanted to move forward with this on a volunteer basis. You know, I think that that would address the vagueness of, you know, potential fines, and our who's going to enforce the policy. So, if it's volunteer, then, you know, I'm okay with that.

Chairman Lopez

Pete.

Legislator Criswell

But to me, then that is not a law. A voluntary suggestion is not a law. A law, to me is something that's written, that has repercussions if you don't follow it.

Chairman Lopez

Sure.

Legislator Bruno

I got to agree with you, Pete. It's like a memorializing resolution.

Chairman Lopez

Right.

Legislator Petit

And honestly, this is. Unless you're, you know, really don't want to put the five or 10 bucks out and you're going to try to challenge it. I think, you know, once it's out there

that this is a new requirement. I don't know, again, maybe I have more faith in folks, but I don't think you're going to get the pushback.

Legislator Bruno

Especially because it is not going to cost them anything.

Legislator Petit

Yeah, there's a lot of opportunities out there. I mean, you could as an owner of a gym, go out and get training, and then you've got your two-dose pack that you can put into your AED equipment. I mean, I don't see we're going to be getting a lot of pushback on this.

Legislator Criswell

I just, I have to say, I don't, I... we have to get away from the content of what we're talking about. It's not about the content. I think we all agree, this is a good thing to do we want to get this out in the world.

Legislator Criswell

It's the structure of this actual law. Is it actually a law that's going to have some sort of requirements that are followed. Or is it a voluntary situation where people can say, yes, I'm going to do it or not. So, let's put the content of it aside. I think we all agree it's a good thing.

Legislator Criswell

The structure of this actual document, which we have to pass as legislators, is incomplete. We have to figure out how to make it a complete. Or somebody at a public hearing is going to take it apart. And we don't want that we want it to be as tight as possible.

Legislator Bruno

So, that was my question, Pete, to begin with. Can we tonight, come up with an enforcement to put in there, for the public hearing, without drastically change, making, creating another whole other public hearing.

Chairman Lopez

Right. But in order to do that, in order to do that we would need, yeah, the Executive onboard and prepared to tell us who they would delegate the enforcement role to. And I think Marc made it clear that he's not in a position this evening to, you know, provide that answer.

Deputy Executive Rider

I'm just going to say that's different than probably the last three or four of these local laws passed. Because this language is, again minus the penalty section, which would be something that you all can choose to do tonight. The enforcement section is identical to the rest, where it leaves the "The County Executive shall designate a County Department or Departments to have primary responsibility."

Deputy Executive Rider

And there may be three or four departments who are working on this. And so, it's the "primary responsibility." I mean, likely that's the Health Department, but you're going to have like other, I think Craig you listed, or somebody else, the County Attorney, there's Safety. There's other departments that are going to assist here. It's probably primary to the Health Department. If you had to put one in tonight, that's where it makes the most sense, because they're the ones, you know the Office of Mental Health is the ones that are going to be providing the Narcan, likely. So, it's there. I don't think it's the DA. But I, I think that enforcement piece is similar to many of the last local laws. So, it would just be a penalty section that that told us what to enforce, that would be needed.

Deputy Clerk Mahler

Chairman Lopez, if I can just jump in real quick because you guys are having a super cyclical conversation right now. I agree with Mr. Rider. And if you recall, one of the main sticking points for Electrical Licensing Board was exactly this conversation. And we left it up to the Executive's Office. Legislator, former Legislator Rodriguez wanted it to be Weights and Measures. But in the end, it ended up being Public Works. So, I agree with Marc on this, but I do feel like what Legislator Criswell and Legislator Bruno are talking about is an entire section that is not in the law right now, that is violations and penalties.

Deputy Clerk Mahler

So, just to move this conversation forward, a little bit. I think what you're talking about is inserting another section about enforcement and penalties, whether or not you want to do that, and what those numbers might be.

Deputy Clerk Mahler

And also, since I have the floor, I was right the first time, you guys did amend the title and the wrong resolution was, it was an ad ministerial error. So, your title, that you're working with right now, should be, "Requiring Naloxone Stations Next to Every Automatic External Defibrillator (AED) Unit at A Public Location."

Deputy Clerk Mahler

So, just keep that in mind moving forward. We can dump that in your OneDrive right now. But you guys were stuck on the word "equipment" last time, if you remember. And Laura had said that she was fine with changing the title if we needed to just finagle it a little bit. So, the actual title that you're working with is, "A Local Law Requiring Naloxone Stations Next to Every Automatic External Defibrillator (AED) Unit at A Public Location. Thank you.

Legislator Petit

If I could ask Deputy Rider could you read that penalties, where it said the first offense was, I'll type it up, and then I can submit that as an image.

Deputy Executive Rider

Hey, can you... is it possible to share my screen?

Legislator Petit

Craig your kids are having a blast there.

Chairman Lopez

They're running around, you hear them through the closed door too, yeah.

Deputy Executive Rider

What am I actually sharing? Is that the...

Legislator Petit

It's the violations and penalties

Deputy Executive Rider

Right.

Legislator Petit

Yeah.

Deputy Executive Rider

So, this is from the carry out bags.

Legislator Petit

Okay.

Legislator Bruno

Can we copy and paste that to this?

Legislator Petit

Yeah, that's what I'm thinking. Because over...

Legislator Criswell

Legislator Petit, so, I'm not sure I'm actually comfortable just grabbing something from somewhere and cutting and pasting. I feel like it's like any sort of punishment, that the fine has to fit the crime. You know.

Legislator Petit

Mm hm.

Legislator Criswell

I just don't think we can just generically say, let's take the fines from one thing and put it to another, I think a little bit more research and find out what's a comparable situation that has...

Legislator Bruno

The language.

Legislator Criswell

Use something that's a little bit more comparable to whatever it is we're asking people to do. So, I just personally feel like we're trying to throw something together right now. And I'm not sure that that's the right way to do it.

Legislator Bruno

I think I was referring, to just to be clear, Peter. I was referring to the language, because it's already been out.

Legislator Petit

Yeah.

Legislator Bruno

And as far as plugging the numbers in, that's something we can discuss, and fill in the blank, so to speak. But at least the language is already done. We don't have to go through, cut and paste...

Chairman Lopez

Right. Yeah. And to Al's point, yeah, it's a pretty boilerplate-type language. And in that section, I think what we could do as a committee, or plug the numbers in that we feel are most, you know, that we'd be most comfortable with. Yeah, most appropriate, yeah, exactly.

Nettie Tomshaw

I put that in the One/drive for you, if you want to look at it, you know that one that Marc just shared.

Legislator Criswell

So, Legislator Bruno, I'm totally comfortable with the language, as you stated, and I just feel it's the numbers that we can't just transfer from one to another.

Legislator Bruno

But that's something we would have to discuss and come up with appropriate numbers for that.

Chairman Lopez

And I agree with that.

Legislator Bruno

Boilerplate is a perfect word for it, frankly. That just took care of a lot of Jay's work or Nettie's work to put together.

Chairman Lopez

Right. Sure. Yeah. And, and I, I'm not looking to hit anybody over the head, I just want something that has, like I keep referring to as a little bit of teeth, you know, and if that starts off with a warning, and you know, um, yeah, and a second offense where people don't comply, you know, as \$100 or something like that, at least it's something they can look, look at and be like, okay, you know, this is something that we have to move forward with. And it would make me, not even more comfortable. I just want the best piece, the best policy we can put together to move forward that will...

Legislator Bruno

Yeah Craig, I understand that. I appreciate that. And I think I get it and I, well, Legislator Criswell, I get it.

Legislator Bruno

At the same time, while it's not time sensitive that we're, you know, the world's going to come to an end if we don't pass this and move it forward right now. To those people who don't have access to that Narcan, to that particular box, may save that kid's life or that person. That's why I think in certain ways, it is time sensitive.

Legislator Bruno

To that end. I'm going to now I'm going to push it again. I'm going to say it again. Okay, we've boiler plated that language over to this amendment to this resolution. Let's take it a step further, what numbers? And what penalties...

Chairman Lopez

Sure.

Legislator Bruno

... are appropriate for this?

Chairman Lopez

No, and I agree with that. I don't I don't see the actual section.

Legislator Bruno

I mean, I just want to see this done. I don't want to see you get hung up over something. I mean, obviously, I get I understand what you're saying, Craig, and I understand what you're saying, let's say to Criswell, as well. And, and I think they're valid points. But I think we still need to move this forward, and just correct those issues. That's all. It's a very simple thing to do.

Chairman Lopez

Yeah. Now, is that something that the committee is willing to address now or is it something that we can over the next...

Nettie Tomshaw

Abe has his hand up.

Legislator Uchitelle

Yeah, I was going...

Chairman Lopez

Yes, Abe.

Legislator Uchitelle

If we are willing to address this now, I think that would be ambitious. But I'm on board for it because as we talk about this, I'm feeling myself more and more in support of this law. If we do decide to delay this another month, I think it's fair to say that it will delay the, you know, delays the public hearing it delays, the implementation, delays the rollout by a month. And in that month, at the rate that things are going, we will

have another opioid death that perhaps could have been prevented by this, you know, product being in the place that it will be as a result of this law.

Legislator Uchitelle

Having said that, having some teeth for the enforcement might mean the difference between it being there and not being there when someone needs it, as well. So, and that will prevent a death.

Legislator Uchitelle

So, I see I see that on both sides. And in the interest of doing something that we all feel good about. I, you know, two things. One, I think it's probably okay if we delay this a month. And I realize I'm speaking as if I have a horse in the race. And I that brings my second point, which is that if the current sponsors, Bruno Wawro, and Petit would have me, I would like to join as a co-sponsor for this legislation.

Chairman Lopez

I would like to as well. Yeah, absolutely. And I think, as a committee, we would all probably agree...

Legislator Bruno

The entire committee could sponsor this.

Chairman Lopez

... as co-sponsors. Yeah. No, definitely. Yeah. And that, that begs the question that I wanted to answer before. Yeah, how many, how many, how many opioid deaths actually occurred? And in one of these 124, 125 places, whether they are, you know, restaurants, or wherever these establishments are that have already equipped with these defibrillators. Does anybody have those numbers?

Legislator Bruno

I don't have those numbers.

Legislator Bruno

No.

Legislator Bruno

What I can tell you is that we think at face value where they should be, probably not where they are. And I'm only saying that information that I had gotten from a seminar went to with Eve I know you're out there. You probably heard, from a girl named Cheryl Moore. They found out in Erie County, they expected the big concentration of opioid deaths to be right in the city of Buffalo and turned out turns out it was a rest

stop on the thruway. Well, they found that out through data mining and stuff where it was.

Legislator Bruno

So, to say, you know, like how many actually happened? We don't know. We don't have that data in yet. I don't think we do. Eve, if we do, please. he'll speak up and tell me I'm wrong. But I think, if it's one, it's one kid's life, one person's life. That is as important as the next I don't think that means anything. I think the more you delay it, that's one more person. I mean, every day, people are dying from this, because they either don't have access or because of the act to begin with. But...

Chairman Lopez

Sure.

Legislator Bruno

I'm really passionate. I think the faster we get it out, the more we get Narcan out into the public where they can use it, the less people get the more of a second chance. And I really believe that.

Chairman Lopez

Yeah, no, I get it.

Legislator Bruno

I agree with Legislator Uchitelle. I understand where he's where he's coming from with it. But I think, I mean, we're talking about putting three numbers. There's basically three steps to any enforcement, boilerplate stuff, a letter and a couple of numbers. I mean, if we, as a group of five of us, or six of us, can't come up with those. I mean, it's really not that difficult to do.

Legislator Bruno

First offense. I agree. It should be a letter. It should be a strong letter worded from whatever department is charge to that establishment. In that letter, they can include that the second offense will be a monetary financial hardship, that will be some kind of a monetary fine to go with it, if that's what we want to do, if that's what we feel more comfortable with it, of whatever number, whether it be \$250 or \$100, or whatever it might be. The third offense should be double or triple what the first number was. I mean, it's not that difficult to come up with.

Chairman Lopez

Right. No, I totally agree with that. And let's, I'm actually comfortable with those numbers.

Legislator Bruno

Actually, those numbers that were on there for the other one, why I understand where Legislator Criswell was saying about not having to copy one, to put some thought into it. When you think about what we're doing, I think a letter, no matter what it is, you should get warned first before it hits your pocket, especially in these times. Especially these businesses that are just trying to get their heads above water and they slipped up and bang, they got slapped.

Legislator Bruno

So, I think that makes sense a warning letters first offense. Anybody disagree?

Chairman Lopez

No, I agree with us.

Legislator Bruno

The second one should be a fine, that isn't going to cripple them, but at the same time, it's going to get their attention. Is \$100 that much? Probably not. I mean, most of...

Deputy Clerk Mahler

If you are using the plastic bag language, the second infraction is actually issuing a violation, the fines come in with the third.

Legislator Bruno

The third. So, that's even further even further along then. So, I think if you want to put teeth in and make it real, so we can make it real. Will it change how many people in the in the public forum, say this is a good thing or a bad thing? I don't think it'll make a damn bit of difference, personally. I think everybody's going to be for this regardless of what we put down. We can put \$250 and \$1,000 down make it real, you can do that.

Legislator Criswell

I don't think anybody's asking it to be \$1,000. I think all we're asking is for a reasonable set of repercussions if somebody does not follow the law. So, I agree with everything you're saying Legislator Bruno. And I think that we should just come up with the numbers as well. So, let's figure it out.

Chairman Lopez

And honestly, honestly, I don't even think it'll ever get to the point where somebody is going to be fined. You know, if people don't move forward with this and comply, it's most likely because if they overlooked it. If they get a letter that says they're in

violation, they're going to... and know that potentially the next step is a \$500 fine, then they're going to take care of it. So, it's mostly a deterrent then it is, you know, collecting fine or issuing the fine on somebody who's going to continue. Or it's going to be a repeat offender. It's somebody who's going to be like, okay, you know, I got this letter, let me comply. I don't want to get hit with a \$500 fine, because it's not going to cost me anything to put a Narcan Kit in with a defibrillator. And that's mostly what it's about. It's a deterrent, and it's holding people accountable. So, it starts with a letter and then moves to a \$500 fine. And, you know, or \$250 fine, and then a \$500 fine. You know, I'm okay with those numbers. And that process.

Legislator Bruno

Like I said, I don't think it'll ever, I agree with you, Craig, I don't think we'll ever get that point.

Chairman Lopez

Yeah.

Deputy Executive Rider

Can I just say one thing, if you're going to kind of parrot the language from before, just when you get down after you plug in the numbers, I think that Section D, it says, "a fine shall be imposed for each day a violation occurs or is allowed to continue." I think that should be taken out.

Legislator Bruno

Yeah, take that out.

Chairman Lopez

I agree.

Legislator Criswell

Agreed.

Legislator Criswell

So, going back to a plastic bag law, it's \$100 to \$250 and \$500. Actually, looking at it now, I would say those are fine numbers. You know, my point was that we just give it some thought. So, I would propose, there's a template that we have, why not use it? So...

Legislator Petit

With the warning letter.

Legislator Bruno

I personally think a strong, the first offense should be a strongly worded letter from whatever department is in charge of it. I think the warning...

Legislator Petit

So, the letter, a \$100 fine, a 250 fine and a \$500 fine.

Legislator Bruno

I think that's fine. And I think the letter should include what the, the additional fines would be coming forward.

Legislator Uchitelle

So, let me read the paper bag law in front of me. So, it's the first violation is a written warning. The second one is the...

Legislator Petit

That should be a fine. Not another warning.

Deputy Executive Rider

No. It's \$100 fine after the first violation.

Legislator Criswell

Right. Yeah. Do you guys all have that language in front of you?

Legislator Bruno

I had to read it really quick before it was up on my other device.

Deputy Clerk Mahler

Marc, you're not looking at Section B? In the, it's the revised one, the one that we did after the initial plastic bag.

Legislator Bruno

Oh.

Deputy Clerk Mahler

"Any covered store that violates or fails to comply with any of the requirements of this chapter after a written warning has been issued for that violation shall be guilty of an infraction."

Deputy Clerk Mahler

You guys are welcome to take it out if you want to hop right into fines. But if you're copying it, word for word, you have a Section D that: letter, infraction, then fines.

Legislator Petit

No, I think you should go letter to fine.

Legislator Bruno

Letter to fine.

Chairman Lopez

Yeah, I agree with that.

Deputy Executive Rider

I would just check with the attorneys. I think that's just a... I don't think that's actually saying... I mean it would be an infraction. I think it's laying out, C is saying, after the written warning, which is in A. But A, one, two and three are the fine amounts.

Deputy Executive Rider

I think B is just laying out that it is an infraction, I could be wrong. But I think it's basically saying, you know, anything after the warning is considered an infraction, which is how you're giving the fine.

Legislator Bruno

That makes sense.

Chairman Lopez

Yeah, I tend to agree with that. Yeah, otherwise it's going from the warning to the fine. Yeah, there has to be... it just lays out that it's an infraction, the infraction would be...

Deputy Executive Rider

Just know you don't want to call it a "covered store," sorry.

Chairman Lopez

Addressed by the following.

Legislator Criswell

Yeah. So, are we say we're going to take the, the language from this, from the plastic bag, law, and remove D, but then keep the rest of it?

Legislator Petit

It'll say, instead of "covered store," we want to change that to "a public space with an existing AED unit."

Deputy Executive Rider

E would need to just be tweaked. Whether you want to put it back into opioid prevention or whatever you want to do. But again, it goes, it goes back to what the chapter about public education and outreach for the plastic bag law was. So...

Legislator Criswell

And are we actually adding this as a separate section, as it is in this local law?

Legislator Petit

Yeah, we have to be.

Chairman Lopez

Yeah, it would have to be.

Legislator Bruno

Would it be section five, A and B. Or section. About enforcement, or no. Jay is shaking her head. Sorry, Jay.

Chairman Lopez

Was that a yes shake or no shake?

Legislator Bruno

That was a no shake. She's saying no.

Deputy Clerk Mahler

You're going to add a section for enforcement and penalties.

Legislator Petit

Yeah. So, we have enforcement. So, we'd add a separate penalty section. And I think the penalty section would have to go in front of enforcement.

Legislator Bruno

Does it matter if it is before or after?

Legislator Criswell

It's after in the in the plastic...

Legislator Petit

Oh, it is?

Legislator Bruno

It would have to be before severability, wouldn't it?

Legislator Criswell

It goes enforcement, and then violation and penalties. That's how it goes.

Legislator Walter

Okay, can I ask a question? Like the defibrillator, you are going to require that at least one employee is trained to use this? Not to make things more complicated.

Legislator Petit

No, I mean, covered under the Good Samaritan Law, just as they are with the defibrillator. But um, you know, there's no we weren't going to require that.

Legislator Walter

Look, I mean, technically people are expected to be trained before they're using these.

Legislator Petit

Yeah.

Legislator Walter

Both. Just putting it out there.

Legislator Bruno

Yeah. She's got a point.

Legislator Uchitelle

Wouldn't that happen when they go to get it through?

Legislator Walter

What was your question, Abe?

Legislator Bruno

Well, they wouldn't be a good to have Narcan without the training to begin with.

Legislator Uchitelle

Yeah, so someone's going to have to go and get it. So, the person like if it's a manager of a location that goes to get it, to fulfill the requirement of the law, then to get it, they're going to get the training, when they get it.

Legislator Walter

And I guess I didn't know how you were thinking they were going to get it. Because they'd have to be able to have a supply. Because as soon as they use one, they'd have to have another one.

Legislator Uchitelle

Right.

Legislator Bruno

I don't think...

Legislator Bruno

There wasn't an issue, Abe, Eve, there wasn't an issue as far as resupply or restocking, the initial putting the box on the end location to begin with. And you get the first dose, you have to have training to get it.

Chairman Lopez

Right. This was a point that I had made, that I hadn't had at our last meeting. Because I when I had taken the training course, yeah, it was somewhat involved. I know, Mary Wawro had sat in our last meeting, and she had explained that the process is a little bit different. It's a little easier, I guess. It's already a mixed and, you know, a spring-type application process. So, yeah, it's a little bit different from the couple years back when I did it. Yeah, but no, also a concern that I had had.

Legislator Bruno

They've actually made Narcan, anybody who has done a training recently, they've made it to the point where it's very similar to the AED, where you actually have like, Marc has put up in front of this TV screen. It's kind of cookie cutter. It is very easy to do. It's like they have that pictograph instructions. So, pretty much anybody, even without the training, can administer. If you can put a nasal spray up your nose, you know, you can do that.

Legislator Petit

Yeah, basically, the posters have those three, the three criteria.

Legislator Bruno

And with the kit.

Petit

Yeah.

Legislator Walter

I guess I would just ask I mean, it's a little different though, when somebody is overdosing in front of you, for the first time. And maybe even if it doesn't have a training that they at least ensure that somebody, on site, has familiarize themselves with the steps to implement it.

Legislator Walter

I mean, I agree. It's not that complicated, but if the first time I was reading it was while someone was OD'ing in front of me. Even those three steps can feel stressful. Plus, there's things in the training like you can't overdose them. So, if after certain amount of time they're not responding, you should do a second one. I mean, there are things like that that are, that go beyond the 1-2-3.

Legislator Bruno

I understand what you're saying Eve, but it's... I think a lot of that was going to fall under the Good Samaritan first aid CPR. It's those type of things, where if you're trying to help somebody, you're trying to help somebody.

Legislator Petit

Yeah. First thing you're supposed to do is dial 911.

Legislator Bruno

Exactly. That's the first thing. Yeah. But what I'm trying to say is I understand, Eve, what you're saying. But it's just like, sitting around somebody who was unconscious, they had a heart attack, and you do something. You know, and that could be a tool that that person was doing something.

Legislator Petit

Yeah, 911....

Legislator Bruno

They're still, they're still going to make it work.

Chairman Lopez

And part of that part of that 911 call will, you'll have somebody trained on the other side who will also assist you and walk you through the process, so.

Legislator Criswell

Is there some educational materials that are provided with this, as well? Because we could just say something for that, [inaudible] will be provided. And we're anticipating that the owner of the facility, or the facility manager, will distribute, or will read them, or something along those lines.

Legislator Bruno

But doesn't that come from like whoever's doing the enforcement end of it? They're part of that. They're part of the job of giving whoever getting this is also getting the training at the same time.

Deputy Executive Rider

I also think part of one of these laws is that not everybody who, I mean these Narcan boxes probably in my office more than it should be. And if I'm out to eat at a restaurant, I'm not going to have it in my hands. But if I know that there's one at an AED box, and I can just run over and grab it. It's more for people out there who aren't always carrying it all the time, they know how to use them, and can use them correctly.

Legislator Bruno

I don't think anything bad can come out of this, personally.

Legislator Bruno

So, have we come up with it, we come up with the penalty portion of it. Are we done?

Chairman Lopez

Yeah, did we? Yep. We'll include that in the actual law. It's not, we can't... it's not going to be added to the public hearing resolution, it's going have to be added to the actual law.

Legislator Bruno

And it probably doesn't have to be...

Legislator Petit

Issued now?

Legislator Uchitelle

It has to be in the public hearing version.

Legislator Petit

Well, we can make the revision before it goes to the public hearing.

Legislator Uchitelle

We can make the revision before it goes to the legislature in two weeks, like...

Chairman Lopez

Right. And I agree with that and, and that's with the caveat that we're going make these changes, I'm okay moving forward with the public hearing. So...

Deputy Clerk Mahler

You guys have to remember it goes to Laws and Rules. So, it's not just you. You got to actually amend it so that it can go into Laws and Rules in its actual form.

Legislator Petit

So, I'd like to make a motion to get a second.

Chairman Lopez

What is it? What's the motion?

Legislator Petit

The motion is to amend the existing law to include a penalty section. We can't do that, Jay?

Deputy Clerk Mahler

No, you can but you also have to adopt the amendments that you have in front of you right now, your amendments that you have highlighted, they're in front of you all in bold, so you need to adopt the law, with those amendments. And add in, I'm calling it Section 6.

Deputy Clerk Mahler

So, you can do this in two, two amendments would be cleaner. To adopt the law in the form it is in front of you. That's all Laura's amendments, with the knowledge that the title is wrong, but that's an ad ministerial thing. And then I'd appreciate a second amendment for this new section. It's just cleaner for your all, like record keeping purposes.

Legislator Bruno

I'll make the motion that we accept the amendments to the original, as presented.

Legislator Uchitelle

And I'll second that.

Chairman Lopez

Okay. And on those, and on those amendments, all in favor?

Committee Members

Aye. (5-0)

Chairman Lopez

Okay. And now we need another motion.

Legislator Bruno

I'll make a motion that we accept the exempt will push this to laws and rules as you said,

Legislator Uchitelle

No, we to make a...

Deputy Clerk Mahler

The second amendment is...

Chairman Lopez

Second amendment...

Deputy Clerk Mahler

Your second amendment is going to be inserting a new Section 6...

Legislator Bruno

Right. Inserting the penalty phase to this...

Deputy Clerk Mahler

Enforcement and penalty that we'll read the same as the plastic ban section for language purposes.

Legislator Bruno

Yeah, what she said. I'll make that motion.

Chairman Lopez

And a second.

Legislator Criswell

Well, we are, we are removing one piece of that.

Deputy Clerk Mahler

Section D.

Legislator Bruno

I thought we already did.

Nettie Tomshaw

As agreed.

Legislator Uchitelle

So, I'll second that motion.

Chairman Lopez

On the amendment, all in favor?

Committee Members

Aye. (5-0)

Chairman Lopez

Very good. All right. So now, now we have to...

Nettie Tomshaw

Everybody's a co-sponsor, right?

Chairman Lopez

Correct.

Deputy Clerk Mahler

So, now you're now we need a motion to adopt Resolution 266 with the local law, as amended.

Chairman Lopez

Correct. All right. So, with that, said we need a motion.

Legislator Bruno

I'll make that motion, Bruno. If you want to make it, I'll second that. That's okay.

Legislator Uchitelle

No, I'm, I'll follow your lead, Al, you got it.

Legislator Bruno

Okay. Either way. I'm just very passionate about this.

Legislator Uchitelle

I just want to move us forward.

Chairman Lopez

Is there any discussion? No hearing none. All in favor?

Committee Members

Aye. (5-0)

Chairman Lopez

Very good. Very good. Thank you. All right. So, we will move on.

Chairman Lopez

Resolution 317: Approving The Execution Of A Contract Amendment In Excess Of \$50,000.00 Entered Into By The County – Accucare Nursing & Homecare, Inc. – Emergency Management.

Chairman Lopez

Move for discussion.

Legislator Petit

I'll move it.

Chairman Lopez

Second.

Legislator Bruno

I'll second it.

Chairman Lopez

Okay.

Deputy Executive Rider

Yeah, you want me to do a brief overview?

Deputy Executive Rider

So, we came up a couple months ago to do an amendment to add the FEMA rider to the Accucare Nursing & Homecare contract. At that time for \$300,000. And we are now coming again to amend it for \$200,000, I believe. This is our supplemental public health nurses.

Chairman Lopez

Yeah.

Deputy Executive Rider

We have seven or eight public health nurses that work for the health department and do not only COVID response but various other things rabies clinics, STD clinics, other things, other duties. These nurses are responsible for helping with case investigations, monitoring. There's about currently, somewhere between 450 and 500 people that they monitor, on a daily basis, who are in quarantine. So, they make phone calls, they do contact tracing.

Deputy Executive Rider

This is also on top of, last month we came to get a grant authorization to apply for a grant for the state to add three more public health nurses as... I don't know if you've paid attention in the news but as universities are going back to school SUNY New Paltz already has three cases so far - this school year. Oneonta just hit a circuit breaker and had to close again for having 100 positive cases. As we start to open up back up, and not just businesses, but schools, our nurses are busy.

Legislator Bruno

I got a question, Marc.

Deputy Executive Rider

Yeah.

Legislator Bruno

The numbers \$150,000 more than... it's \$150,000 more above the \$300,000, correct?

Deputy Executive Rider

Correct. Yes.

Legislator Bruno

So, how many nurses are doing this?

Deputy Executive Rider

So, we have approximately five from this agency. We have five on the weekdays that come in. And we have two that are supplemental staff on the weekends. So, we basically have two nurses seven days a week. And three nurses five days a week.

Legislator Bruno

And their salary comes to \$150,000 plus the \$300K or \$150,000, only.

Deputy Executive Rider

On top, no, it's everything. This this is amending. This is adding money on to the, it's through an agency. The reason we're doing it this way, honestly, is well, there's two reasons. One, we're eligible for 75% FEMA reimbursement, which is not provided to us if we were to just hire additional staff. The other is that we don't hope we hope that we won't have to use these nurses in kind of perpetuity and hiring actual staff would bring with its legacy costs. So...

Legislator Bruno

You say with FEMA reimbursement, so, 75%, you're saying so the hundred and \$150,000, 75% of it is going to be reimbursed by FEMA?

Legislator Bruno

Out of the \$450K. Because this is bringing it...

Legislator Bruno

I'm sorry, \$450,000, 75% of that is being reimbursed by FEMA.

Legislator Bruno

Yes.

Legislator Bruno

So, county, ultimate county costs of this are what, at the end of the day?

Deputy Executive Rider

25% of \$450,000, that is \$112,000 not \$112,000. And what is that 16.5?

Legislator Petit

\$125k?

Deputy Executive Rider

Not quite \$125K, I think. it's not \$116, it is...

Legislator Uchitelle

It is \$112,500.

Deputy Executive Rider

\$112,500.

Legislator Bruno

Those who have close to \$112,000 \$13,000 to walk again. And is FEMA guaranteeing us that they're going to, they're going to back this up. They're going to mean this is

Deputy Executive Rider

They've told us that this is an eligible cost. It's eligible.

Legislator Bruno

I heard that part. But is it guaranteed?

Deputy Executive Rider

It's not guaranteed. I mean, until we actually get the money back, I would say, you know.

Legislator Bruno

But, so, we still could be on the hook for the full amount.

Deputy Executive Rider

We could be, I mean, we need the supplemental nursing. So, we would either be hiring additional nurses, which would be, it wouldn't really save. By the time you took salary and benefits of seven staff, it's not going to save you much money on this \$450,000

Legislator Bruno

I'm sorry. I don't quite get what you're saying there.

Deputy Executive Rider

If you were to take full-time salary and add on benefits, which we're not providing through this contract, of these seven individuals that we're using. It would, it would probably be close to a wash.

Legislator Bruno

I'm just trying to think of the financial aspect of this whole thing. Because actually, a value to add these extra people, to pay this whole thing. I mean, I understand the possible uptick with COVID. And you can't really... contact rates and everything. But I'm not entirely sold on additional costs. yet.

Deputy Executive Rider

I hear you. This is not I mean; we're not preparing for the uptick. Now. I think if there was a massive uptick, we've scaled this contract down a little bit from where we... We were using 10 to 12 public health nurses, on a daily basis from this company, when we did the initial \$300,000 contract. This is a pared down version of where we are right now. Again, we monitor somewhere between 450-550 individuals every day. They take phone calls, they have to be checked-in by a nurse to see how their symptoms are, etc.

Legislator Bruno

But at the end of the day, these five nurses working eight hours a day.

Deputy Executive Rider

Yeah.

Legislator Bruno

A standard eight hours, like a job full time job? Same as anybody else a day. So, these five nurses come out \$150,000 basically, for eight-hour days?

Deputy Executive Rider

There's five that work during the weekday, and then there's other nurses, two additional nurses that work on the weekends.

Legislator Bruno

So, there are seven?

Deputy Executive Rider

Yes.

Deputy Executive Rider

Seven new nurses that we're adding to the fleet.

Deputy Executive Rider

Now, this is temporary. This I mean, this is a this is an agency. We're not adding...

Legislator Bruno

Just trying to understand how we went from \$300,000 up to \$450,000. And \$300,000 got us through the peak of this pandemic. But now we're on the winning side, there might be some ups and downs with it, and we're adding additional people to it. That's what I'm trying to reconcile in my head.

Deputy Executive Rider

When we were at the peak, we were probably using 10 to 12 of these nurses every day. So, that's, you know. And we went through that \$300K pretty, that \$300K is gone. That's why we're coming to increase the, the limit on this contract. Because that... we've gone through that \$300K. Now we're putting it out. We're hoping to get it out high enough to where we don't have to come back in, you know, two to three months and ask again, by amending it again. We believe this will get us through, what we hope will be the rest of you know, our needing of supplemental nurses.

Legislator Bruno

I hear you. I'm not sold, to be honest with you, and you understand why. I think I can tell by your face.

Deputy Executive Rider

It's all expensive.

Legislator Petit

I want to speak at...

Legislator Bruno

I want value more than extended price, to be honest with you. I'm looking at where we are in this pandemic, versus where we were, and where we're going. And that's, what I'm trying to justify coming up with numbers. \$150,000 You know, when we're \$35 million in a hole is not a small chunk of change. And that's, that's what I'm trying to analyze in my head. I don't think I am so far off base with that.

Legislator Petit

And I mean, we had all hands-on deck. It was everything. Because basically all our other healthcare services were shut down, so to speak. But I mean, everyone was addressing the COVID issue. So, we'll, and no portion of this you said it's going to go for additional care. But, I mean, there must have been overtime.

Legislator Bruno

Yeah.

Deputy Executive Rider

Yeah, there was all of that. I mean, yes. As you were saying, it was all hands-on deck, every public health nurse that we had, we didn't have a single clinic. You know, we didn't have a STD clinic. We didn't do any of the other work that we were doing. We had everybody focused on COVID. At some point we need to get some of these public health nurses back. We have flu season coming up. We do, you know, flu vaccinations, we do other things. We need to also continue on COVID because it's still a big portion of our work. But some of our in-house nurses need to focus on what their other day to day jobs were as well.

Legislator Bruno

I thought I thought everything was COVID. There was no, once COVID hit. We no longer had the flu. I thought that went away.

Deputy Executive Rider

I wish.

Legislator Bruno

Based on the numbers that were thrown at us, that's what happened. Sorry, but...

Legislator Petit

Certain. People that have gone out to get them.

Chairman Lopez

All right. Any other discussion?

Legislator Bruno

I'm not entirely sold on this yet, to be honest with you. That's another big chunk of change. And I'm not sure that the county needs to spend. To be perfectly honest with you. I understand they do value, a valuable job, but it's, as the numbers have dropped, to virtually nil, down to a handful of positives that we have. That's a big number. It's half of what we use during the entire COVID process.

Legislator Uchitelle

Hey, yeah, I just want to speak to my interaction with this function of the county's work in a really, really early days, I'm not speaking, as, you know, from a position of, you know, expertise where for where we are right now, but I did volunteer for a week beginning March 13th. And March 13th was a really crazy time before anyone could really move money around and do anything and it was these nurses, this type of function that were that needed to be put in position really quickly. So, if we do have a

moment like we had, then, you know, we won't be able to, you know, we have to react incredibly quickly.

Legislator Uchitelle

So, you know, if I think back to what my experience was like helping with the battle situation in the EEOC and volunteering and helping with the phone line and seeing all of those nurses going out there. If I could invest, if I could go back and change one thing, it would have been more nurses getting out there more quickly. And doing that as an early response tactic. Not necessary as a flattening the curve thing but as a you know that when you're ramping up. So, I just think if... I just wanted to share that for perspective, I think it's one of the most important things when you're anticipating that something might tick up which I think we are when you look at what's happening in Oneonta.

Legislator Criswell

I am going to support this because I do feel like everything that I've read about the second wave possibilities and I feel like if we're going to be spending money this is a place where I feel strongly it's like a better safe than sorry kind of moment. So, I'm going to support this. Alright.

Chairman Lopez

Alright. Anyone else?

Legislator Uchitelle

Eve had a question.

Chairman Lopez

Oh, I'm sorry.

Legislator Walter

Is this to prepare for second wave or is this based on numbers that you have currently?

Deputy Executive Rider

It's mostly based on numbers that we currently have. We will not, we will not go through this contract nearly as quickly. If we don't have a second wave, right? This is a rates contract. So, if at any time we decided to go down to one, contract nurse, because that's all we need, we're able to do that inside this contract. And then we're only... Or we could, if we didn't need any, we would go down to zero. Now, you know, this is done on a week by week basis. So, right now we use the five with the two on the weekends. And that's still with our nurses working full schedule and mainly focused on COVID. They, they do a few other things to try to get back to their other job.

Deputy Executive Rider

But this is just taking us out a little bit, and it's it is for working at the current rate. If there's another second wave, and it gets bad, and we need to bring in another twelve nurses every day, we'll probably be back on this one. We would do that in the future.

Chairman Lopez

All right. Well, then, only one more though, you only get one more.

Legislator Bruno

They would vary the number of nurses that they need. Who does that? Who actually says we need one, or we need two or ten?

Deputy Executive Rider

Our Commissioner of Health.

Legislator Bruno

Commissioner, okay.

Chairman Lopez

Okay. All right, then. All in favor?

Committee Members

Aye. (5-0)

Chairman Lopez

Al?

Legislator Bruno

Yeah, okay.

Legislator Petit

Thank you, Al.

Legislator Bruno

We got we got...

Legislator Bruno

I am reluctantly saying yes, but I got to be honest, I'm not entirely sold on that number, it's a lot of money for... when I see the numbers that that are being presented are very

low. And yes, they're out there, but their low, COVID, the nasty thing. There's a lot of things we don't know about it yet. So, I'll be a yes, this time.

Chairman Lopez

Well, well it's got to come to...

Legislator Bruno

The month asking for another \$150,000 to add to, we may have another problem.

Chairman Lopez

Well, it still has to come to the floor, Al. So, you know, if you want to speak on it on the floor and make your point, I think it'll be received by a larger audience.

Legislator Bruno

Okay, fair enough. (5-0)

Chairman Lopez

Very good. All right, we will move on to the last resolution 324: Calling For Swift Implementation Of The New York State Drug Take Back Act.

Chairman Lopez

Move for discussion.

Legislator Uchitelle

I'll move that.

Legislator Bruno

Second.

Chairman Lopez

Okay. I guess that's why you have joined us this evening, Eve. You want to speak to this?

Legislator Walter

I just wanted to give a little background for those people who might not have it. So, at the state level, the Drug Take Back, they signed that into law and in 2018... Well, first of all, let me just say that research shows, especially for kids, the primary way they

get hooked on opioids is getting access to prescription painkillers that they find in medication cabinets. And other places, in their own homes, and other people's homes.

Legislator Walter

I lost somebody last month, who was a young girl, 22. And that's exactly how she got hooked on opioids. And so, there has been such a huge effort to ensure that there are good safe ways to have excess prescription pain medications out of the households and out of the hands of young people, and anybody, but anyone who isn't prescribed them.

Legislator Walter

So, the Act was signed in law in New York State at the state level in 2018, to take effect in January 2019. In July, so a year ago, pharmaceutical companies were told manufacturers required to submit their take back plans. Some of them have, and some of them haven't.

Legislator Walter

Department of Health was supposed to complete a review of all these plans, but because they're not all done, the review hasn't necessarily been done. There were draft regulations that were done in fall of 2019. There had public comment already on this and the final, but the final regulations are yet to be implemented by the Department of Health. And they're not published. It's already been closed to comment.

Legislator Walter

Now, I would have wanted to just do a local law requiring our pharmacies do this. But they have a caveat in their law that says you cannot have a local law. And for good reason probably, so that no local municipality does less. Unfortunately, you can't even have a local law saying do the same thing and just implement it.

Legislator Walter

So, because of that, this is a memorializing resolution just telling Department of Health at the state level, let's get it done already. Because as you all said in many other conversations, every day that these medications aren't properly disposed of, is another day that another kid is getting their hands on them.

Legislator Bruno

I agree. I'm all for this.

Legislator Petit

Yeah.

Legislator Bruno

I'll make a motion we pass this resolution.

Chairman Lopez

All right. No, I think that's great. All in favor?

Committee Members

Aye. (5-0)

Chairman Lopez

Very good. All right. Is there anything else. Anybody got any old business? New business?

Legislator Petit

Yeah, if I could follow up with Legislator Walter had mentioned about the surveys. You know, Tom Kadgen's been asking what we used to do surveys through the schools about drug use and access, including, you know, marijuana use, etc. You know, and I realized we're kind of in a state of limbo, but is there's something we can do, or can we expect an update of that survey so we can see how many, how many kids... I mean, I really got the Narcan, and we've got AED. But I would like to see real preventative. And I think the only way to follow through on that would be to see how bad the use actually is before anybody ends up, you know, in a rehab unit or needing services.

Legislator Walter

So, can I answer that?

Chairman Lopez

Sure, absolutely.

Legislator Walter

So, there's... I do these surveys. I used to do them in Ulster County, and I do them in Dutchess County, in Orange County, and some places in Long Island County. Some places use the Oasis funding to conduct this and we used to here in Ulster County use Oasis funding. Dutchess does that. Orange does it differently- their BOICES pays for it. But it you know; it's not exactly required. And so, Ulster stopped doing it.

Legislator Walter

I think that getting someone in from Ulster Prevention Council, Cheryl, is the director and talking to her. You know that the problem is Oasis has cut lots of funding also. Or directed its funding more towards expert and other kinds of higher-end responses than preventative surveys.

Legislator Walter

And so, it might have to be, it's not that expensive to do this, as the person who charges. It might be something we want to include ourselves to support this happening in Ulster County. But, you know, it is challenging to... it has been challenging with Oasis. Oasis also does the state level one and it picks one of our school districts. They'll probably do that again soon. But that doesn't really tell you the whole county, it just tells you the whole state.

Legislator Petit

Thank you.

Chairman Lopez

Okay, is there anything else?

Legislator Petit

Are we allowed to hear from the public, Chair?

Chairman Lopez

I'm sorry?

Legislator Petit

I can we hear from are we allowed to hear from the public?

Chairman Lopez

You mean that? That's on the meeting, also?

Legislator Petit

So, I'm asking if it's the will of the chair.

Deputy Executive Rider

Tom Kadgen has his hand raised. You may not see it on speaker view.

Deputy Executive Rider

Oh, yeah. Beyond the speaker. Yeah, you're on the speaker view. But...

Chairman Lopez

Yeah, yeah, yep. No, go ahead, Tom.

Tom Kadgen

I mean, for almost a decade, for over a decade, we've been doing the high school surveys. All of a sudden, the got the prevention program got a request from the county to stop doing it. I like to know who told him to stop, and why.

Legislator Petit

Or if it was a funding issue.

Legislator Walter

Probably was one.

Legislator Petit

It was the 2018-2019 year. Yeah, I don't think we had a problem with money at that point.

Deputy Executive Rider

It was the prior Deputy County Executive Crannell was overseeing Health and Mental Health. So, I don't know who had asked for that.

Tom Kadgen

Thank you very much.

Deputy Executive Rider

I can look into it.

Tom Kadgen

That's who I expected.

Chairman Lopez

Was that it, Tom?

Tom Kadgen

Yes.

Chairman Lopez

Okay. All right. Does anybody have anything else?

Chairman Lopez

All right. Can I have a motion to adjourn?

Legislator Criswell

I'll make a motion that we adjourn.

Legislator Bruno

Second.

Chairman Lopez

Second. All in favor?

Committee Members

Aye. (5-0)

Chairman Lopez

All right. Very good. Well, thank you, everyone, and everybody stay safe. And if I don't see you before. We'll see you next month.