

# Legislation

## BOL Meeting Minutes - Published Draft



Committee Chair: Colin Smith

800 Michaelian Office Bldg.  
148 Martine Avenue, 8th Floor  
White Plains, NY 10601  
[www.westchesterlegislators.com](http://www.westchesterlegislators.com)

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**Wednesday, May 29, 2024**

**1:00 PM**

**Committee Room**

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### CALL TO ORDER

Please note: Meetings of the Board of Legislators and its committees are held at the Michaelian Office Building, 148 Martine Avenue, White Plains, New York, 10601, and remotely via the WebEx video conferencing system. Legislators may participate in person or via Webex. Members of the public may attend meetings in person at any of its locations, or view it online on the Westchester County Legislature's website: <https://westchestercountyny.legistar.com/>. This website also provides links to materials for all matters to be discussed at a given meeting.

Joint with Budget & Appropriations and Parks & Environment committees.

Legislator Emiljana Ulaj will be participating remotely from 520 White Plains Road, Tarrytown, NY 10591.

Legislator Colin Smith will be participating remotely from 1132 Main Street, Suite 1, Peekskill, NY 10566.

*With a quorum present, Chair Imamura called the meeting to order at 1:05 p.m.*

*Others in Attendance: BOL: Legislators: Jewel Williams Johnson, Erika Pierce, Judah Holstein, and Nancy Barr (Remote); Committee Coordinators: Jill Axelrod and James Silverberg; Marcello Figueroa, Santiago Caceres, Lisa Hochman (Remote); Parks Department: Peter Tartaglia; Law Department: Justin Adin and Rachel Noe; CE's Office: Copernicus Crane and Peter McCartt*

**Present:** Legislator Boykin, Legislator Nolan, Legislator Tubiolo, Legislator Woodson-Samuels and Legislator Imamura

**Absent:** Legislator Cunzio

**Remote:** Legislator Smith, Legislator Ulaj and Legislator Gashi

### MINUTES APPROVAL

Monday, April 22, 2024 at 1:00 p.m.

On motion of Legislator Nolan, seconded by Legislator Ulaj, the minutes were approved. The motion carried by the following vote:

**Aye:** Legislator Smith, Legislator Boykin, Legislator Nolan, Legislator Tubiolo, Legislator Ulaj, Legislator Woodson-Samuels, Legislator Imamura and Legislator Gashi

**Absent:** Legislator Cunzio

## I. ITEMS FOR DISCUSSION

### 1. [2024-282](#) PH-Amendments to the Stop Arm Law

Joint with Budget & Appropriations committee.

Guest: Law Dept.: Rachel Noe, Associate County Attorney

*Ms. Noe explained that in April 2023, the County passed a law establishing a school bus stop arm demonstration program, which was authorized under State legislation. She said that the budget bill passed by the State legislature two months ago amended the State authorization with regard to certain evidence requirements for stop arm violations. The proposed legislation is a similar amendment to conform the County law to the State law.*

*Ms. Noe added that the amendments enact certain statutory presumptions that address several evidentiary issues that have been raised in cases adjudicating Stop Arm Law violations. Mr. Adin said the statutory presumptions include the sufficiency of proof that: 1) the bus is properly marked and equipped and 2) that the bus was stopped for the purpose of receiving or discharging passengers or had stopped because a school bus in front of it stopped to receive or discharge any passengers.*

On motion of Legislator Nolan, seconded by Legislator Boykin, the above item was signed by committee. The motion carried by the following vote:

**Aye:** Legislator Smith, Legislator Boykin, Legislator Nolan, Legislator Tubiolo, Legislator Ulaj, Legislator Woodson-Samuels, Legislator Imamura and Legislator Gashi

**Absent:** Legislator Cunzio

### 2. [2024-283](#) LOCAL LAW-Amendments to the Stop Arm Law

Joint with Budget & Appropriations committee.

Guest: Law Dept.: Rachel Noe, Associate County Attorney

*See discussion of Item #1 above.*

On motion of Legislator Nolan, seconded by Legislator Boykin, the above item was signed by committee and referred to Board of Legislators. The motion carried by the following vote:

**Aye:** Legislator Smith, Legislator Boykin, Legislator Nolan, Legislator Tubiolo, Legislator Ulaj, Legislator Woodson-Samuels, Legislator Imamura and Legislator Gashi

**Absent:** Legislator Cunzio

### 3. [2024-308](#) Home Rule Request-S4879A/A5092A - Parkland Resolution

Joint with Parks & Environment committee

Guests: Parks Dept.: First Deputy Commissioner Peter Tartaglia; CE's Office: Copernicus Crane, Assistant Director of Intergovernmental Relations

*Mr. Crane said that Assemblymember Dana Leavenberg and Senator Peter Harckham asked for a home rule in support of their legislation, which would allow the County to circumvent the parkland alienation process in parking lots to install solar canopies. He said that the County would be supportive of having that authorization and as such, submitted the home rule request. First Deputy Commissioner Peter Tartaglia noted that this is for existing parking lots, and they will take it on a case by case basis.*

On motion of Legislator Ulaj, seconded by Legislator Gashi, the above item was signed by committee and referred to Board of Legislators. The motion carried by the following vote:

**Aye:** Legislator Smith, Legislator Boykin, Legislator Nolan, Legislator Tubiolo, Legislator Ulaj, Legislator Woodson-Samuels, Legislator Imamura and Legislator Gashi

**Absent:** Legislator Cunzio

## **II. OTHER BUSINESS**

## **III. RECEIVE & FILE**

1. [2024-305](#) **Legislators Tubiolo, Smith and Ulaj - Memo of Legislation - Mandating Apprenticeship Opportunities on Certain County Construction Projects**

## **ADJOURNMENT**

Moved by Legislator Nolan, seconded by Legislator Ulaj, the Committee adjourned at 1:28 p.m. by the following vote:

**Aye:** Legislator Smith, Legislator Boykin, Legislator Nolan, Legislator Tubiolo, Legislator Ulaj, Legislator Woodson-Samuels, Legislator Imamura and Legislator Gashi

**Absent:** Legislator Cunzio