

# 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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**Monday, July 29, 2024**

**1:00 PM**

**Committee Room**

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**Joint with PE**

### 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 Parks & Environment committee.

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.

Legislator Margaret Cunzio will be participating remotely from 770 Commerce Street, Thornwood, NY 10594.

*With a quorum present, Chair Smith called the meeting to order at 1:09 p.m.*

*Others in Attendance: BOL: Legislators: Erika Pierce, Judah Holstein, Jewel Williams Johnson, and Nancy Barr; Sunday Vanderberg, Marcello Figueroa, Committee Coordinators: Jill Axelrod and James Silverberg; Law Dept: Justin Adin and Jennifer Bumgarner; Solid Waste Commission: Peri Kadanoff*

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

**Remote:** Legislator Ulaj and Legislator Cunzio

### MINUTES APPROVAL

Wednesday, July 10, 2024 at 2:00 p.m.

On motion of Legislator Woodson-Samuels, seconded by Legislator Tubiolo, 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 Cunzio, Legislator Imamura and Legislator Gashi

## I. ITEMS FOR DISCUSSION

Guests: Law Dept.: Chief Deputy County Attorney Justin Adin and Senior Assistant County Attorney Jennifer Bumgarner; Solid Waste Commission: Executive Director Peri Kadanoff

### [RES-2024-144](#) RESOLUTION-Publishing LL Intro 2024-307-Mandatory Referendum

*Sunday Vanderberg, Clerk of the Board of Legislators, explained that this item is an added starter, which was placed directly into committee at the request of the Chairman of the Board of Legislators. It did not appear on the agenda for this meeting since the agenda had already been generated and published. She said that this resolution concerns Local Law Intro 2024-307, which increases the term length for County Legislators from two years to four years, beginning with the 2025 election. She stated that this resolution will allow the Clerk to publish the mandatory referendum notice for the required six-week period prior to the general election date of November 5th.*

*Legislator Boykin noted that Section 2 of the resolution had a typo listing the date as "November 5, 20124" and should be corrected to "2024."*

On motion of Legislator Imamura, seconded by Legislator Nolan, 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 Cunzio, Legislator Imamura and Legislator Gashi

#### 1. [RES-2024-143](#) PH - Prohibiting Unauthorized Dumping

*Mr. Adin noted that two typos in the legislation were corrected. For §713.11(A) and (D), the reference to material described in §713.21(A) was amended by removing the reference to subsection (A) so that the subsections would cover anything outlined in §713.21. For §713.31(A) and (B), the reference to a violation of provisions of "this section" was replaced with "this Chapter."*

*Legislator Barr asked how this works with existing law. Ms. Kadanoff said this will allow the County to pursue both criminal and civil penalties. Mr. Adin said that the legislation requires an offender to remediate the area on which it unlawfully dumped, and, if not, the offender is liable for restitution to the County for the cost of remediation.*

*Legislator Pierce asked who will catch the offenders within a County park. Legislator Tubiolo said he is planning to seek a capital project for cameras and license plate readers for parks with high traffic. Ms. Kadanoff said the Solid Waste Commission has a very active complaint portal.*

*Legislator Barr asked if we could allow municipalities to opt in. Mr. Adin said municipalities have their own enforcement method. She suggested we let municipalities know that this law is going into effect. Mr. Adin said we should remind municipalities to let the County know of violations. Legislative Director Marcello Figueroa confirmed that in researching this issue, he*

*found that most municipalities have dumping prohibitions.*

*Mr. Adin said the committee members would have to determine when the law should take effect. The legislators agreed that an effective date of 30 days was appropriate.*

On motion of Legislator Imamura, seconded by Legislator Nolan, 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 Cunzio, Legislator Imamura and Legislator Gashi

2. [2024-401](#) **LEGISLATORS TUBIOLO, ALVARADO, WOODSON-SAMUELS: LL - Prohibit Unauthorized Dumping**

See ID #2024-401 above.

On motion of Legislator Imamura, seconded by Legislator Nolan, 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 Cunzio, Legislator Imamura and Legislator Gashi

### III. RECEIVE & FILE

1. [2024-364](#) **Hon. Shanae Williams - Required Reporting of Local Area Median Income (LAMI)**

On motion of Legislator Woodson-Samuels, seconded by Legislator Tubiolo, the above item was received, filed, and approved. The motion carried by the following vote:

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

### ADJOURNMENT

Moved by Legislator Tubiolo, seconded by Legislator Woodson-Samuels, the Committee adjourned at 1:40 p.m. by the following vote:

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