

Environment, Energy & Climate



BOL Meeting Minutes - Published Draft

Committee Chair: David Imamura

800 Michaelian Office Bldg.
148 Martine Avenue, 8th Floor
White Plains, NY 10601
www.westchesterlegislators.com

Monday, June 12, 2023

1:00 PM

Committee Room

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.

Present: Committee Chair Imamura, Legislator Barr, Legislator Parker, Committee Vice-Chair Pierce, Legislator Williams Johnson and Legislator Gashi

Absent: Legislator Tubiolo

MINUTES APPROVAL

I. ITEMS FOR DISCUSSION

[2022-259](#)

HON. CATHERINE BORGIA - PH - Proposed Balloon Release Ban

Joint w/ Legislation

Guest: Law Dept.: Chief Deputy County Attorney Stacey Dolgin-Kmetz; Liz Feldman, Town Supervisor of Ossining, and Suzie Ross, Co-Founder and Chair, Green Ossining

Chief Deputy County Attorney Stacey Dolgin-Kmetz explained the details of the bill which calls for banning the organized release of mylar and latex balloons which are not bio-degradable and are bad for the environment.

There are several exceptions to the law that include hot air balloons that are recovered and balloons that are unintentionally released.

Legislator Pierce asked who would be enforcing it and if there was options to avoid public safety enforcement.

Stacey said the local municipalities would have the ability to enforce, through their agencies/police departments. She said it was possible but a department or agency outside of public safety would need to be identified.

Legislator Boykin asked about clarity on the intentional versus unintentional release.

Stacey said Legislator Boykin's scenario describing an accidental release would be an exception.

Legislator Nolan asked which entity would be responsible at a place where the organizer is a college or a venue for example?

Stacey said that is a good question and something that would need to be figured out.

Legislator Nolan asked about whether or not there is an educational component to the legislation?

Stacey said this law mimics the Yonkers law and doesn't currently include an educational component.

Legislator Cunzio asked whether or not the funds collected from the fine can be dictated by the County and if any of the funds come to the County?

Stacey confirmed that we do not receive funds from municipalities enforcement of our laws.

Legislator Parker asked if the fee for enforcement can be raised from \$50 to \$500 as a more appropriate number? Legislator Williams-Johnson added that last years Senate Bill was a fine of \$1,000.

Stacey said we can increase the fines. An increase of \$500 would make it a misdemeanor level civil penalty.

Legislator Barr agreed on the fine being increased and emphasized an educational

component be added to the law.

Stacey said in order for the educational component to be added a department needs to be identified and tasked with handling the educational component.

Liz Feldman discussed ossining's current legislation and explained the severity of balloons releases to the environment. She discussed the need for education but also alternatives for celebrations to replace balloon releases. She suggested a statement be put out to the public to tell them why this law is being put in place.

Suzie Ross added that although enforcement is hard, she believes it sends a message and allows the community to get involved in being stewards of their community.

There was discussion about including a first time warning for first time offenders or an intro period of the law that will refrain from punishment, increasing the penalties.

There was discussion regarding the law laying out explicit enforcement versus allowing the police departments to use their own judgments surrounding enforcement.

Stacey said she thinks an intro period or separating entities from individuals could be confusing.

Legislator Gashi asked if there was a way to identify a specific number of balloons to be banned from being released at once.

Legislator Pierce asked about any particular age could be added.

Some ending recommendations included:

- A warning followed by \$250 fee
- An effective date of 90 days
- Environmental Facilities as the department to handle education
- A potential age enforcement of 13yrs or older.
- Follow up meetings could include the various departments such as Health, Consumer Protections, DEF and Public Safety. Also, community partners such as river keeper and save the sound.

This RESOLUTION - Public Hearing was continued

[2022-260](#)

HON. CATHERINE BORGIA - LL - Proposed Balloon Release Ban

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(See discussion above)

II. OTHER BUSINESS

III. RECEIVE & FILE

ADJOURNMENT

Moved by Committee Vice-Chair Pierce, seconded by Legislator Williams Johnson, the Committee adjourned at 2:10 PM. by the following vote:

Aye: Committee Chair Imamura, Legislator Barr, Legislator Parker, Committee Vice-Chair Pierce, Legislator Williams Johnson and Legislator Gashi

Absent: Legislator Tubiolo

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