

Legislation Meeting Agenda



Committee Chair: Colin Smith

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

Wednesday, September 6, 2023

3:30 PM

Committee Room

CALL TO ORDER

Joint with Health and Appointments committees.

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.

MINUTES APPROVAL

Monday, August 21, 2023 at 1:00 p.m.

I. ITEMS FOR DISCUSSION

Guest: Law Dept.: Chief Deputy County Attorney Stacey Dolgin-Kmetz

1. [2023-187](#) PH-Establishing a Subcommittee of the African American Advisory Board

A RESOLUTION to set a Public Hearing on "A LOCAL LAW amending Section 277.421 of the Laws of Westchester County to add a provision to establish a Subcommittee of the Westchester County African-American Advisory Board to study the high rates of asthma in communities of color in the County of Westchester." [Public Hearing set for _____, 2023 at _____.m.]. LL Intro: 2023-188.

COMMITTEE REFERRAL: COMMITTEES ON LEGISLATION AND APPOINTMENTS

2. [2023-188](#) LOCAL LAW-Establishing a Subcommittee of the African American Advisory Board

A LOCAL LAW amending Section 277.421 of the Laws of Westchester County to add a provision to establish a Subcommittee of the Westchester County African-American Advisory Board to study the high rates of asthma in communities of color in the County of Westchester.

COMMITTEE REFERRAL: COMMITTEES ON LEGISLATION AND APPOINTMENTS

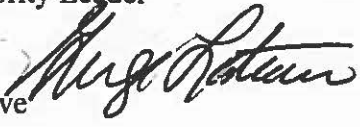
II. OTHER BUSINESS

III. RECEIVE & FILE

ADJOURNMENT

May 1, 2023

TO: Hon. Nancy Barr, Acting Chair
Hon. Christopher Johnson, Majority Leader
Hon. Margaret Cunzio, Minority Leader

FROM: George Latimer
Westchester County Executive 

RE: **Message Requesting Immediate Consideration: LOCAL LAW –
Establishing a Subcommittee of the Westchester County African
American Advisory Board.**

This will confirm my request that the Board of Legislators allow submission of the referenced communication to be submitted to the Board of Legislators May 1, 2023 Agenda.

Transmitted herewith for your consideration and approval is a Local Law amending Section 277.421 of the Laws of Westchester County to add a provision to establish a Subcommittee of the Westchester County African American Advisory Board. This amendment may be referred to as the “Addressing Asthma in Communities of Color Amendment.”

Therefore, since this communication is of the utmost importance, it is respectfully submitted that the County Board of Legislators accepts this submission for May 1, 2023 “blue sheet” calendar.

Thank you for your prompt attention to this matter.



George Latimer
County Executive

April 21, 2023
Westchester County Board of Legislators
800 Michaelian Office Building
148 Martine Avenue, 8th Floor
White Plains, New York 10601

Dear Honorable Members of the Board:

I respectfully request that your Honorable Board adopt the attached Local Law, which would amend Section 277.421 of the Laws of Westchester County to add a provision to establish a Subcommittee of the Westchester County African-American Advisory Board to study the high rates of asthma in communities of color in the County of Westchester. This amendment may be referred to as the “Addressing Asthma in Communities of Color Amendment.”

According to a recent Westchester County Department of Health Community Health Assessment, nearly 10% of adults within the County reported having asthma, with the rates higher among the County’s Black and Hispanic residents. Additionally, the New York State 2021 Health Equity Reports—which present data on health outcomes for cities and towns with a 40% or greater non-White population—highlight the prevalence of asthma in communities of color in Westchester County. These reports show that the rates of emergency department visits for asthma in Yonkers, Peekskill, and Mt. Vernon far exceeded both the New York State and Westchester County averages, for all ages of patients, and particularly for patients ages 0-4 years.

Asthma is a treatable disease, but access to healthcare for ethnic minorities and communities of color is often hampered by socioeconomic disparities, shortages of primary care physicians in minority communities, and language and literacy barriers, among other things. Clear disparities have emerged, showing that the burden of asthma falls disproportionately on African American, Black, and Hispanic populations, and especially on children in these communities. In recent years, children have died preventable deaths in the County as a result of untreated asthma.

The attached Local Law, if adopted, would create a Subcommittee of the African American Advisory Board, to: study asthma risk factors for people of color in Westchester County, identify existing barriers to asthma treatment and care among racial and ethnic minorities, develop strategies for addressing the lack of health care in these communities, and launch a County-wide asthma

awareness campaign to educate County residents about the disease, its symptoms, and the ability to better manage asthma through prevention and treatment.

This legislation is patterned after proposed New York State legislation (S.410A, A.5828 of 2021-2022).¹ The State bill was endorsed for passage by Environmental Advocates NY, a nonprofit corporation dedicated to protecting the air, land, water and health of all New Yorkers.

This proposed project does not meet the definition of an action under New York State Environmental Quality Review Act ("SEQRA") and its implementing regulations 6 NYCRR Part 617. Please refer to the memorandum from the Department of Planning, dated January 12, 2023, which is on file with the Clerk of the Board of Legislators.

In light of the aforementioned, I respectfully urge that your Honorable Board adopt the Addressing Asthma in Communities of Color Amendment.

Sincerely,



GEORGE LATIMER
County Executive

GL/nn

¹ The bill was passed with overwhelming support in both the Senate and the Assembly. On November 23, 2022, the Governor vetoed the bill, along with 38 others that would have established various commissions and task forces, because of their collective fiscal impact (which was not accounted for in the State Financial Plan), and the potential for creating duplication, unnecessary bureaucracy, and staffing burdens on state agencies. The Governor did note the importance of many of the proposed studies, task forces, and commissions in the vetoed bills, however, and accordingly directed state agencies and her office to address the issues identified in the bills with existing resources to the extent practicable.

TO: HONORABLE BOARD OF LEGISLATORS
COUNTY OF WESTCHESTER

Your Committee is in receipt of a communication from the County Executive urging the adoption of the attached “LOCAL LAW amending Section 277.421 of the Laws of Westchester County to add a provision to establish a Subcommittee of the Westchester County African-American Advisory Board to study the high rates of asthma in communities of color in the County of Westchester.” This amendment may be referred to as the “Addressing Asthma in Communities of Color Amendment.”

Your Committee is aware that, according to a recent Westchester County Department of Health Community Health Assessment, nearly 10% of adults within the County reported having asthma, with the rates higher among the County’s Black and Hispanic residents. Additionally, the New York State 2021 Health Equity Reports—which present data on health outcomes for cities and towns with a 40% or greater non-White population—highlight the prevalence of asthma in communities of color in Westchester County. These reports show that the rates of emergency hospital visits for asthma in Yonkers, Peekskill, and Mt. Vernon far exceeded both the New York State and Westchester County averages, for all ages of patients, and particularly for patients ages 0-4 years.

Your Committee understands that asthma is a treatable disease, but that access to healthcare for ethnic minorities and communities of color is often hampered by socioeconomic disparities, shortages of primary care physicians in minority communities, and language and literacy barriers, among other things. Clear disparities have emerged, showing that the burden of asthma falls disproportionately on African American, Black, and Hispanic populations, and especially on children

in these communities. In recent years, children have died preventable deaths in the County as a result of untreated asthma.

Your Committee is informed that this Local Law, if adopted, would create a Subcommittee of the African American Advisory Board, to study asthma risk factors for people of color in Westchester County; identify existing barriers to asthma treatment and care among racial and ethnic minorities; develop strategies for addressing the lack of health care in these communities; and launch a County-wide asthma awareness campaign to educate County residents about the disease, its symptoms, and the ability to better manage asthma through prevention and treatment.

Your Committee acknowledges that this legislation is patterned after proposed New York State legislation (S.410A, A.5828 of 2021-2022).¹ The State bill was endorsed for passage by Environmental Advocates NY, a nonprofit corporation dedicated to protecting the air, land, water and health of all New Yorkers. *See* attached memo.

Your Committee is informed that the proposed project does not meet the definition of an action under New York State Environmental Quality Review Act (“SEQRA”) and its implementing regulations 6 NYCRR Part 617. Please refer to the memorandum from the Department of Planning,

¹ The bill was passed with overwhelming support in both the Senate and the Assembly. On November 23, 2022, the Governor vetoed the bill, along with 38 others that would have established various commissions and task forces, because of their collective fiscal impact (which was not accounted for in the State Financial Plan), and the potential for creating duplication, unnecessary bureaucracy, and staffing burdens on state agencies. The Governor did note the importance of many of the proposed studies, task forces, and commissions proposed in the vetoed bills, however, and accordingly directed state agencies and her office to address the issues identified in the bills with existing resources to the extent practicable.

dated January 12, 2023, which is on file with the Clerk of the Board of Legislators. Your Committee concurs in this conclusion.

Based on the foregoing, your Committee recommends the passage of this Local Law.

Dated: _____, 2023

White Plains, New York

COMMITTEE ON

SCM—04/12/23

RESOLUTION NO. ____ – 2023

RESOLVED, that this Board hold a public hearing pursuant to Section 209.141(4) of the Laws of Westchester County on Local Law Intro. No. ____ - 2023, entitled “A LOCAL LAW amending Section 277.421 of the Laws of Westchester County to add a provision to establish a Subcommittee of the Westchester County African-American Advisory Board to study the high rates of asthma in communities of color in the County of Westchester.” The public hearing will be held at __.m. on the ____ day of _____, 2023 in the Chambers of the Board of Legislators, 8th Floor, Michaelian Office Building, White Plains, New York. The Clerk of the Board shall cause notice of the time and date of such hearing to be published at least once in one or more newspapers published in the County of Westchester and selected by the Clerk of the Board for that purpose in the manner and time required by law.

TO: HONORABLE BOARD OF LEGISLATORS
COUNTY OF WESTCHESTER

Your Committee is in receipt of a communication from the County Executive urging the adoption of the attached “LOCAL LAW amending Section 277.421 of the Laws of Westchester County to add a provision to establish a Subcommittee of the Westchester County African-American Advisory Board to study the high rates of asthma in communities of color in the County of Westchester.”

Your Committee is aware that, according to a recent Westchester County Department of Health Community Health Assessment, slightly over 10% of adults within the County reported having asthma (2018 – 10.8, 2021 – 7.5). Additionally, the New York State 2021 Health Equity Reports—which present data on health outcomes for cities and towns with a 40% or greater non-White population—highlight the prevalence of asthma in communities of color in Westchester County. These reports show that the rates of emergency hospital visits for asthma in Yonkers, Peekskill, and Mt. Vernon typically exceeded both the New York State and Westchester County averages, for all ages of patients. Notably, the rates for patients ages 0-4 years in Yonkers, Peekskill and Mt. Vernon substantially exceeded the state and county averages.

Your Committee understands that asthma is a treatable disease, but that access to healthcare for ethnic minorities and communities of color is often hampered by socioeconomic disparities, shortages of primary care physicians in minority communities, and language and literacy barriers, among other things. Clear disparities have emerged, showing that the burden of asthma falls disproportionately on African American, Black, and Hispanic populations, and especially on children in these communities. In recent years, children have died preventable deaths in the County as a result of untreated asthma.

Your Committee is informed that this Local Law, if adopted, would create a Subcommittee of the African American Advisory Board, to study asthma risk factors for people of color in Westchester County; identify existing barriers to asthma treatment and care among racial and ethnic minorities; develop strategies for addressing the lack of health care in these communities; and launch a County-wide asthma awareness campaign to educate County residents about the disease, its symptoms, and the ability to better manage asthma through prevention and treatment. The subcommittee would be required to consult with the Hispanic Advisory Board and the Asian-American Advisory Board, as well as representatives from other groups that are disproportionately affected by asthma. The subcommittee would also be required to meet with a pulmonologist and any other necessary medical specialists.

Your Committee is informed that the proposed project does not meet the definition of an action under New York State Environmental Quality Review Act (“SEQRA”) and its implementing regulations 6 NYCRR Part 617. Please refer to the memorandum from the Department of Planning, dated January 12, 2023, which is on file with the Clerk of the Board of Legislators. Your Committee concurs in this conclusion.

Based on the foregoing, your Committee recommends the passage of this Local Law.

Dated: _____, 2023
White Plains, New York

COMMITTEE ON

RESOLUTION NO. ____ – 2023

RESOLVED, that this Board hold a public hearing pursuant to Section 209.141(4) of the Laws of Westchester County on Local Law Intro. No. ____ - 2023, entitled “A LOCAL LAW amending Section 277.421 of the Laws of Westchester County to add a provision to establish a Subcommittee of the Westchester County African-American Advisory Board to study the high rates of asthma in communities of color in the County of Westchester.” The public hearing will be held at __.m. on the _____ day of _____, 2023 in the Chambers of the Board of Legislators, 8th Floor, Michaelian Office Building, White Plains, New York. The Clerk of the Board shall cause notice of the time and date of such hearing to be published at least once in one or more newspapers published in the County of Westchester and selected by the Clerk of the Board for that purpose in the manner and time required by law.

A LOCAL LAW amending Section 277.421 of the Laws of Westchester County to add a provision to establish a Subcommittee of the Westchester County African-American Advisory Board to study the high rates of asthma in communities of color in the County of Westchester.

BE IT ENACTED by the County Board of the County of Westchester as follows:

Section 1. Section 277.421 of the Laws of Westchester County is hereby amended by adding a subsection to subdivision (1) to read as follows:

Sec. 277.421. - Advisory Board established.

1. There shall be a Westchester County African-American Advisory Board which shall consist of an odd number of members of not less than nine, and not more than 45. The members shall have demonstrated their concern for and interest in the African-American population.

a. Members shall be appointed by the County Executive and shall serve for a term of two years, except that of the members first appointed to such board, 60 percent shall be appointed for a term of one year and 40 percent for a term of two years. Upon the expiration of the term of office of any member, his or her successor shall be appointed to membership on such board for a term of two years. Any member subsequently appointed to the board shall be appointed for a two-year term. The Director of the Office of Affirmative Action may serve as an ex officio member at the discretion of the board. Members shall be residents of Westchester County. One

member shall be designated by the County Executive as Chairman. A vacancy in the membership shall be filled in the same manner as the original appointment.

b. Each member shall have the ability and willingness to give the necessary amount of time to the responsibility of being a board member.

c. A Subcommittee shall be established to study the high rates of asthma in minority communities in Westchester County. The County Executive shall appoint five (5) members to such Subcommittee from among Advisory Board members. The County Commissioners of Health, Social Services and Planning or their designees shall serve as Ex-Officio members of such Subcommittee.

The Subcommittee shall be tasked with:

(a) assessing the asthma risk factors for the minority

residents of the County;

(b) identifying existing barriers to quality asthma treatment and care among

racial and ethnic minorities;

(c) developing evidence-based intervention strategies for addressing the lack

of health care in these communities; and

(d) launching a County-wide asthma awareness campaign to educate

County residents about the disease, its symptoms, and the ability to better

manage asthma through prevention and treatment.

The Subcommittee shall consult with representatives of minority and

low-income communities, the Hispanic Advisory Board and the Asian American Advisory Board, health care professionals with knowledge and experience in the prevention and treatment of asthma including but not limited to a Pulmonologist, and community groups that advocate for environmental justice issues. The Subcommittee shall deliver an annual report addressing various asthma program successes, new trends, data and issues surrounding minority populations suffering from asthma to the County Executive and Board of Legislators beginning September 1, 2025, and annually thereafter.

§ 2. This Local Law shall take effect immediately.