

Health

BOL Meeting Minutes - Published Draft



Committee Chair: Jewel Williams Johnson

800 Michaelian Office Bldg.
148 Martine Avenue, 8th Floor
White Plains, NY 10601
WestchesterLegislatorsNY.gov

Monday, June 29, 2026

1:00 PM

Committee Room

Joint W/ Legislation

CALL TO ORDER

Please note: Meetings of the Board of Legislators and its committees are held at the Michaelian Office Building, 148 Martine Avenue, 8th Floor, White Plains, New York, 10601, and livestreamed 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 the meeting and its video recording online on the Westchester County Legislature's website: <https://westchestercountyny.legistar.com/>. This website also provides the links to documents to be discussed at a given meeting.

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

With a quorum present, Chair Williams Johnson called the meeting to order at 1:07 PM.

*Others in Attendance: BOL: Legislators: Colin Smith, James Nolan, and Margaret Cunzio
Committee Coordinators: Jill Axelrod and Althema Goodson; James Silverberg; Lisa Hochman; Law Dept.: Justin Adin, Shawna MacLeod, and Jason Whitehead; Dept. of Health: Dr. Sherlita Amler and Susan Guercio*

Present: Legislator Williams Johnson, Legislator Imamura, Legislator Pierce and Legislator Gashi

Absent: Legislator Barr and Legislator Ulaj

MINUTES APPROVAL

Monday, June 08, 2026, 10 AM

Wednesday, June 10, 2026, 11AM

Monday, June 15, 2026, 2PM

This matter was approved

I. ITEMS FOR DISCUSSION

RES-2026-59 PH-Prohibit the Sale of Camouflaged Vaping Devices in Westchester County

Guests: Health Dept.: Dr. Sherlita Amler, Commissioner, and Susan Guercio, Assistant Commissioner for Regulatory Affairs and Compliance; Law Dept.: Justin Adin, Asst. Deputy County Attorney, and Jason Whitehead, Associate County Attorney

Mr. Adin said the definition of "vapor product" in Section 11 of the law needs to be amended to add the words "as medical marijuana" at the end. With a motion by Legislator Imamura

seconded by Legislator Nolan, the committee voted unanimously to amend the legislation accordingly.

Legislator Cunzio expressed concerns that this law prohibits the sale of these devices in Westchester County, but people can still purchase them elsewhere and bring them into the County. Mr. Adin noted that the law prohibits the sale or purchase of the devices, so if someone buys it elsewhere, they can bring it here but are prohibited from selling or transferring it here.

Legislator Cunzio also expressed concerns regarding enforcement for person to person transfers as opposed to businesses selling the devices. Dr. Amler noted that the Health Department can only inspect stores.

Legislator Cunzio asked if the County would be educating the police on enforcement. Mr. Adin said that enforcement for individuals would be up to police and prosecutors, but businesses are the bigger target. Dr. Amler said that her inspectors have not seen camouflage vapes in shops, but since they seem to be ubiquitous in schools, it is likely minors are getting them off the internet. Legislator Cunzio asked how this legislation will help if most sales are on the internet. Mr. Adin said internet sales can only be regulated by the state.

Dr. Amler said this legislation will allow the Health Department to conduct inspections or stings using minors to see if these devices are being sold at shops. Ms. Guercio said the legislation creates a chill or disincentive for the shops to sell them.

On motion of the above item was signed by committee and referred to Board of Legislators. The motion carried.

[LL](#) **LOCAL LAW-Prohibit the Sale of Camouflaged Vaping Devices in**
[Intro-2026-44](#) **Westchester County**

Guests: Health Dept.: Dr. Sherlita Amler, Commissioner, and Susan Guercio, Assistant Commissioner for Regulatory Affairs and Compliance; Law Dept.: Justin Adin, Asst. Deputy County Attorney, and Jason Whitehead, Associate County Attorney

On motion of Legislator Pierce, seconded by Legislator Imamura, the above item was signed by committee and referred to Board of Legislators. The motion carried.

[2026-212](#) **PH - Flavored Nicotine Vapor Products**

Guests: Law Dept.: Asst. Deputy County Attorney Justin Adin and Associate County Attorney Jason Whitehead

Ms. Guercio explained that state law gives the Health Department discretion to fine a smoke shop anywhere from zero to \$100 per vaping packet found, and a packet is one vape because they are individually wrapped. She said that the County law prohibits the sale of four or more products, and not packets. Mr. Whitehead said his research showed that other jurisdictions with similar laws, including New York City, use the word products, and do not define them. Legislator Cunzio asked if there were any court rulings that would clarify this issue. Mr. Whitehead said he is not aware of any. Mr. Adin said that they will see look into the language, and advise the committee accordingly.

Legislator Williams Johnson said that when the Health committee previously met to discuss this item, they requested the addition of camouflage vape products and language giving the

Health Department staff explicit authority to go into storage areas and inspect. Mr. Adin said that the ability to go in and inspect certain areas is a bigger legal issue that cannot be addressed as just an addition to this law. He recommended going into executive session to discuss legal advice provided by the Law Department to the Health Department regarding this issue. With a motion by Legislator Imamura seconded by Legislator Nolan, the committee voted unanimously to go into executive session to discuss legal advice at 1:34 PM. With a motion by Legislator Imamura seconded by Legislator Nolan, the committee voted unanimously to come out of executive session at 1:57 PM.

This RESOLUTION - Public Hearing was continued

2026-213

HON. JEWEL WILLIAMS JOHNSON: LL - Flavored Nicotine Vapor Products

Guests: Law Dept.: Asst. Deputy County Attorney Justin Adin and Associate County Attorney Jason Whitehead

Ms. MacLeod said that this will amend the law to remove the 51 % ownership rule, but still require that when a master plumber is holding him or herself out to do work on behalf of a corporation, that work is still performed under the supervision of another master plumber. She said it also amends the currently law, which provides that the County Executive appoints the members of the Plumbing Board and the members elect the Board Chairperson, to provide that the County Executive will also designate the chairperson.

Legislator Puja asked if the Plumbing Board had a position on the change. Mr. Adin said that Jim Maisano, Director of the Department of Consumer Protection, is the person who could answer that, and he is on vacation.

Legislator Cunzio asked if the County has any other boards where the chair is appointed by the County Executive rather than elected by their peers. Mr. Adin said the Police Board is set up that way.

Legislator Cunzio asked why the change is being made. Mr. Adin said Mr. Maisano or someone from the County Executive's office would have to answer that question.

Legislator Imamura asked if we are facing any litigation liability based on the 51% requirement. Mr. Adin said the County has not received any notice of litigation.

On motion of the above item was continued. The motion carried.

II. OTHER BUSINESS

III. RECEIVE & FILE

ADJOURNMENT

Moved by Legislator Imamura, seconded by Legislator Pierce, the Committee adjourned at 2:08PM.