

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

Monday, March 4, 2024

1:00 PM

Committee Room

CALL TO ORDER

Joint with Public Works & Transportation committee.

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.

Legislator David Imamura will be participating remotely from Pace University, 41 Park Row, NY, NY 10038.

With a quorum present, Chair Smith called the meeting to order at 1:07 p.m.

Others in Attendance: BOL: Legislators: Erika Pierce, Nancy Barr, and Jewel Williams Johnson; Committee Coordinators: Jill Axelrod and Dayana Gomez; Law Dept.: Stacey Dolgin-Kmetz; DEF: Lou Vetrone and Melissa Rotini

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

Absent: Legislator Ulaj

Remote: Legislator Imamura

MINUTES APPROVAL

Monday, February 12, 2024 at 1:00 p.m.

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

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

Absent: Legislator Ulaj

Wednesday, February 21, 2024 at 1:00 p.m.

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

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

Absent: Legislator Ulaj

I. ITEMS FOR DISCUSSION

Guests: Law Dept.: Chief Deputy County Attorney Stacey Dolgin-Kmetz; Dept. of Environmental Facilities: First Deputy Commissioner Lou Vetrone and Assistant Commissioner Melissa Rotini

1. [2024-4](#) PH-Source Separation Law

Ms. Rotini and Mr. Vetrone discussed the legislation with the committee. Ms. Rotini said that she modified the original version of the legislation to move the definition of food waste and add the definition of food scrap. She noted that the law provides for separate disposal requirements for things like lithium ion batteries and freon-containing devices, and clarifies the separation of mercury-containing devices. She said the law expands the language for private food composting to include participation in voluntary programs that are already available to County residents, and adds cartons as a mandatory recyclable. She said the law also adds the Household Material Recovery Facility (H-MRF) in Valhalla as a household hazardous waste collection program.

Mr. Vetrone said that DEF has inspectors who go out to enforce the source separation law. Legislator Nolan asked that inspectors be sent to apartment buildings on the south side of Yonkers, as he has seen many violations there. Mr. Vetrone said that they have been reaching out to management companies so they can educate building staff to ensure that things are posted so the residents understand what they're supposed to do.

Chair Smith asked about the number of inspectors, and how these changes will impact their workloads and ability to do their job effectively. Mr. Vetrone said there are only two inspectors currently, and while these changes may not increase their workload, enforcement of the County's new single use plasticware law will. He said DEF will review this at budget time, and they may need to come to the Board and request funding to hire an additional inspector.

Legislator Pierce asked why Sec. 825.11. was amended to delete the words "state approved" in describing the "Westchester County solid waste management plan." Ms. Rotini said they had submitted a plan to the state from 2011 that was never formally approved. Mr. Vetrone said they were contacted by the state in 2021, and told to update and resubmit the plan. He said the update was submitted in draft form, and they are currently awaiting comments from the state. He noted that in 2023, the DEC came out with a new state solid waste management plan, so DEF will likely need to issue a whole new Solid Waste Management plan in compliance with that. Legislator Pierce asked to see a copy of the draft that was submitted, even if it may be scrapped or put into a new plan, since they haven't seen anything since the 2011 draft, which is on the DEF's website. Legislator Pierce would like to review the data in that document. Ms. Rotini and Chief Deputy County Attorney Stacey Dolgin-Kmetz said that information is not available to the public, and can't be shared at a public meeting. Legislator Williams Johnson questioned why the document can't be shared with the legislators, since they are not the public.

Legislator Tubiolo noted that this item had originally been referred to the Parks & Environment committee, of which he is the Chair, and was then removed from that committee and referred to the Public Works & Transportation committee. He questioned why that occurred, and requested that his committee be added back. Legislator Pierce said they could discuss that outside of the meeting.

Legislator Barr noted the importance of having receptacles that are clearly labelled to avoid confusion. Ms. Rotini said that Sec. 825.70-A(3) requires that "receptacles [be] clearly marked and identifiable so as to avoid the improper mixing of Solid Waste and Recyclables." It was unclear whether this section was added to the original legislation, and was not referenced in the committee report. Ms. Rotini said she would have to look into that. Legislator Barr also noted that on page 2, paragraph 2 of the committee report, the start of the first sentence needs to be changed from "Your Committed" to "Your Committee".

Legislator Pierce said that in light of the discussion about which committee should be on this item, the fact that there is still some confusion as to exactly what changes have been made, and the members have not had adequate time to review the amended legislation, this should be tabled until the next meeting, where the legislators can have a formal final copy to review.

This RESOLUTION - Public Hearing was continued

2. [2024-5](#) **LOCAL LAW-Source Separation Law**

See discussion of Item #1 above.

This LOCAL LAW - Amendment to Local Law was continued

II. OTHER BUSINESS

III. RECEIVE & FILE

ADJOURNMENT

Moved by Legislator Nolan, seconded by Legislator Boykin, the Committee adjourned at 1:52 p.m. by the following vote:

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

Absent: Legislator Ulaj