

Environment, Energy & Climate



BOL Meeting Minutes - Published Draft

Committee Chair: Nancy Barr

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

Tuesday, February 21, 2023

2:30 PM

Committee Room

CALL TO ORDER

Joint with Legislation 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.

Chairwoman Catherine Borgia will be participating remotely from Clear View School and Day Treatment Center, 480 Albany Post Road, Briarcliff, NY, 10510

With a quorum present, Chair Barr called the meeting to order at 2:38 p.m.

Others in Attendance: BOL: Legislators: Vedat Gashi, Ben Boykin, Margaret Cunzio, and James Nolan; Legislator Chris Johnson (Remote); Dept. of Health: Deputy Commissioner Chris Ericson

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

MINUTES APPROVAL

Monday, February 13, 2022 at 10:00 a.m.

On motion of Legislator Williams Johnson, seconded by Committee Vice-Chair Pierce, the minutes were approved. The motion carried unanimously.

I. ITEMS FOR DISCUSSION

- [2022-523](#) **LEGISLATORS PIERCE, BARR, WOODSON-SAMUELS, PARKER, MAHER, ALVARADO, BORGIA AND WILLIAMS JOHNSON - LL - Single Use Foodware**

Guest: Law Dept.: Shawna MacLeod, Senior Assistant County Attorney

Ms. MacLeod discussed the changes to the legislation. She said that the changes were made in an effort to 1) clarify the dual enforcement structure with the Department of Health and the Department of Environmental Facilities, and 2) prevent the law from unintentionally prohibiting the sale of certain single-use foodware items in retail food stores by adding retail food store to the existing language of food service establishment in various sections of the law. Legislator Boykin raised concerns about the new language potentially impeding an establishment's ability to sell these products, and Ms. MacLeod noted that these changes were in line with the

industry requests to clarify the law. Mr. Figueroa added that representatives from these organizations had positive comments about the law and the most recent amendments.

Chair Barr noted that an advocacy organization requested further amendments to the law by clarifying the definition of plastic. Legislator Pierce said that when the law was created it did not envision this, as it was simply a waste-reduction law. A discussion ensued, and it was decided that the concerns would be addressed by adding “non-plastic” in front of straws and stirrers in Section 542.11(10) and later adding “plastic” in front straws and splash sticks when listing items not covered by the exemptions.

With a motion by Legislator Pierce seconded by Legislator Williams Johnson, the amendments to the legislation were passed. The motion carried unanimously.

On motion of Committee Vice-Chair Pierce, seconded by Legislator Williams Johnson, the above item was signed by committee and referred to Board of Legislators. The motion carried unanimously.

II. OTHER BUSINESS

III. RECEIVE & FILE

ADJOURNMENT

Moved by Committee Vice-Chair Pierce, seconded by Legislator Tubiolo, the Committee adjourned at 3:18 p.m.