



# 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](http://www.westchesterlegislators.com)

---

Tuesday, February 21, 2023

2:30 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.

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

Legislator Colin Smith will be participating remotely from 1132 Main Street, Suite 1, Peekskill, NY 10566

Joint with the Committee on Environment, Energy and Climate

*With a quorum present, Vice-Chair Gashi called the meeting to order at 2:39 PM.*

*Others in Attendance: BOL - Legislator Chris Johnson, Legislator David Tubiolo, Marcello Figueroa, Jill Axelrod, Anand Singh, Marlyn Pena, Karen Vele*

**Present:** Legislator Barr, Legislator Boykin, Legislator Cunzio, Committee Vice-Chair Gashi and Legislator Nolan

**Absent:** Legislator Johnson and Legislator Maher

**Remote:** Committee Chair Smith

### MINUTES APPROVAL

February 10, 2023 at 3:00 PM Minutes

On motion of Legislator Nolan, seconded by Legislator Barr, 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**

A LOCAL LAW amending the Laws of Westchester County be adding Chapter 541 regarding single-use foodware, beverage stirrers, splash sticks and reusable cups.

**COMMITTEE REFERRAL: COMMITTEES ON LEGISLATION AND ENVIRONMENT,**

**ENERGY & CLIMATE**

Guests: Department of Law - Shawn Macleod, Senior Assistant County Attorney; Department of Health - Christopher Ericson, Deputy Commissioner

*Legislator Barr spoke on the changes to the law before asking Ms. Macleod to give further explanation. Ms. Macleod said that the changes in the law were made in an effort to clarify enforcement by the different departments and to prevent the law from unintentionally prohibiting the sale of certain single-use foodware items in retail food stores, by adding retail food store to various sections of the law, alongside the existing language of foodservice establishment. Legislator Boykin raised concerns about the new language potentially impeding an establishments 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. Legislator 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 adding "non-plastic" in front of straws and stirrers in Section 542.11, paragraph 10 and later adding "plastic" in front straws and stirrers when listing items not covered by the exemptions. A motion was made by Legislator Barr to adopt the new language, seconded by Legislator Cunzio and the amendment was passed unanimously*

On motion of Legislator Nolan, seconded by Legislator Cunzio, the above item was signed by committee and referred to Board of Legislators. The motion carried by the following vote:

**Aye:** Committee Chair Smith, Legislator Barr, Legislator Boykin, Legislator Cunzio, Committee Vice-Chair Gashi, Legislator Johnson and Legislator Nolan

**Absent:** Legislator Maher

**II. OTHER BUSINESS****III. RECEIVE & FILE**

[2023-50](#) **CLERK OF THE BOARD - Independent Office of Assigned Counsel  
2022 Annual Report**

Forwarded by the Clerk of the Board, the 2022 Annual Report for the Independent Office of Assigned Counsel.

**COMMITTEE REFERRAL: COMMITTEE ON LEGISLATION**

On motion of Legislator Cunzio, seconded by Legislator Nolan, the above item was received, filed, and approved. The motion carried by the following vote:

**Aye:** Committee Chair Smith, Legislator Barr, Legislator Boykin, Legislator Cunzio, Committee Vice-Chair Gashi, Legislator Johnson and Legislator Nolan

**Absent:** Legislator Maher

**ADJOURNMENT**

Moved by Legislator Nolan, seconded by Legislator Barr, the Committee adjourned at 3:17 PM.