

Parks & Environment

BOL Meeting Minutes - Final



Committee Chair: David Tubiolo

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

Monday, July 29, 2024

1:00 PM

Committee Room

Joint with LEG

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. *With a quorum present, Chair Tubiolo called the meeting to order at 1:09 p.m.*

Others in Attendance: GUESTS: Peri Kadanoff, Justin Adin, Jennifer Bumgarner BOL: Colin Smith, , Judah Holstein, Jewel Williams Johnson, David Imamura, Ben Boykin, Emiljana Ulaj, Margaret Cunzio, James Silverberg, Jill Axelrod, Sunday Vanderberg, Marcello Figueroa, Warren Watson

Present: Legislator Tubiolo, Legislator Barr, Legislator Nolan, Legislator Pierce and Legislator Woodson-Samuels

MINUTES APPROVAL

I. ITEMS FOR DISCUSSION

1. [RES-2024-143](#) **PH - Prohibiting Unauthorized Dumping**

A Public Hearing on a "LOCAL LAW amending the Laws of Westchester County by adding a new Chapter 713 prohibiting Unauthorized Dumping on County-Owned Property." [Public Hearing set for September 16, 2024 at 7:30 p.m.]. LOCAL LAW INTRO: 2024-401.

SUBMITTED BY: COMMITTEES ON LEGISLATION AND PARKS & ENVIRONMENT

Guests:

Chief Deputy County Attorney Justin Adin-LAW

Senior Assistant County Attorney Jennifer Bumgarner-LAW

Executive Director Peri Kadanoff-SWC

Mr. Adin noted that two typos in the legislation were corrected. For §713.11(A) and (D), the reference to material described in §713.21(A) was amended by removing the reference to subsection (A) so that the subsections would cover anything outlined in §713.21. For §713.31(A) and (B), the reference to a violation of provisions of "this section" was replaced

with “this Chapter.”

Legislator Barr asked how this works with existing law. Ms. Kadanoff said this will allow the County to pursue both criminal and civil penalties. Mr. Adin said that the legislation requires an offender to remediate the area on which it unlawfully dumped, and, if not, the offender is liable for restitution to the County for the cost of remediation.

Legislator Pierce asked who will catch the offenders within a County park. Chair Tubiolo said he is planning to seek a capital project for cameras and license plate readers for parks with high traffic. Ms. Kadanoff said the Solid Waste Commission has a very active complaint portal.

Legislator Barr asked if we could allow municipalities to opt in. Mr. Adin said municipalities have their own enforcement method. She suggested we let municipalities know that this law is going into effect. Mr. Adin said we should remind municipalities to let the County know of violations. Legislative Director Marcello Figueroa confirmed that in researching this issue, he found that most municipalities have dumping prohibitions.

Mr. Adin said the committee members would have to determine when the law should take effect. The legislators agreed that an effective date of 30 days was appropriate.

On motion of Legislator Tubiolo to vote this item out for all purposes and set a 30 day effective date, seconded by Legislator Woodson-Samuels, the above item was signed by committee and referred to Board of Legislators. The motion carried by the following vote:

Aye: Legislator Tubiolo, Legislator Barr, Legislator Nolan, Legislator Pierce and Legislator Woodson-Samuels

2. [LL-Intro 2024-401](#) **LL - Prohibit Unauthorized Dumping**

A LOCAL LAW amending the Laws of Westchester County by adding a new Chapter 713 prohibiting Unauthorized Dumping on County-Owned Property.

SUBMITTED BY: COMMITTEES ON LEGISLATION AND PARKS & ENVIRONMENT

Guests:

Chief Deputy County Attorney Justin Adin-LAW

Senior Assistant County Attorney Jennifer Bumgarner-LAW

Executive Director Peri Kadanoff-SWC

Please refer to item #1.

On motion of Legislator Tubiolo to vote this item out for all purposes and set a 30 day effective date, seconded by Legislator Woodson-Samuels, the above item was signed by committee and referred to Board of Legislators. The motion carried by the following vote:

Aye: Legislator Tubiolo, Legislator Barr, Legislator Nolan, Legislator Pierce and Legislator Woodson-Samuels

II. OTHER BUSINESS

III. RECEIVE & FILE

ADJOURNMENT

Moved by Legislator Woodson-Samuels, seconded by Legislator Barr, the Committee adjourned at 1:37 PM. by the following vote:

Aye: Legislator Tubiolo, Legislator Barr, Legislator Nolan, Legislator Pierce and Legislator Woodson-Samuels