

# Legislation Meeting Agenda



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

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**Monday, June 29, 2026**

**1:00 PM**

**Committee Room**

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**Joint w/ Health**

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

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

Legislator Jenn Puja will be participating remotely from 595 W. Hartsdale Avenue, White Plains, NY 10607.

## MINUTES APPROVAL

Monday, June 1, 2026 at 1:00 PM

## I. ITEMS FOR DISCUSSION

1. [2026-43](#) PH-Prohibit the Sale of Camouflaged Vaping Devices in Westchester County

A RESOLUTION to set a Public Hearing on "A LOCAL LAW amending Chapter 535 of the Laws of Westchester County to prohibit the sale of camouflaged vaping devices in Westchester County." [Public Hearing set for \_\_\_\_\_, 2026 at \_\_\_\_\_ .m.].  
LOCAL LAW INTRO: 2026-44.

**COMMITTEE REFERRAL: COMMITTEES ON LEGISLATION AND HEALTH**

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

2. [2026-44](#) LOCAL LAW-Prohibit the Sale of Camouflaged Vaping Devices in Westchester County

A LOCAL LAW amending Chapter 535 of the Laws of Westchester County to prohibit the sale of camouflaged vaping devices in Westchester County."

**COMMITTEE REFERRAL: COMMITTEES ON LEGISLATION AND HEALTH**

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

3. [2026-212](#) HON. JEWEL WILLIAMS JOHNSON: PH - Flavored Nicotine Vapor Products

A RESOLUTION to set a Public Hearing on a "LOCAL LAW amending Chapter 535 of the Laws of Westchester County to establish a rebuttable presumption in regards to the possession of flavored nicotine vapor products in the County of Westchester." [Public Hearing set for \_\_\_\_\_, 2026 at \_\_\_\_\_ .m.]. LOCAL LAW INTRO: 2026-213.

**COMMITTEE REFERRAL: COMMITTEES ON LEGISLATION AND HEALTH**

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

4. [2026-213](#) HON. JEWEL WILLIAMS JOHNSON: LL - Flavored Nicotine Vapor Products

A LOCAL LAW amending Chapter 535 of the Laws of Westchester County to establish a rebuttable presumption in regards to the possession of flavored nicotine vapor products in the County of Westchester.

**COMMITTEE REFERRAL: COMMITTEES ON LEGISLATION AND HEALTH**

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

5. [2026-294](#) PH-Eliminating the Master Plumber 51 Percent Business Ownership Requirement

A RESOLUTION to set a Public Hearing on "A LOCAL LAW amending section 277.509(A) of the Laws of Westchester County, eliminating the master plumber 51 percent business ownership requirement." [Public Hearing set for \_\_\_\_\_, 2026 at \_\_\_\_\_ .m.]. LOCAL LAW INTRO 2026-295.

**COMMITTEE REFERRAL: COMMITTEE ON LEGISLATION**

Guests: Law Dept.: Asst. Deputy County Attorney Justin Adin and Associate County Attorney Shawna Macleod

6. [2026-295](#) LOCAL LAW-Eliminating the Master Plumber 51 Percent Business Ownership Requirement

A LOCAL LAW amending section 277.509(A) of the Laws of Westchester County, eliminating the master plumber 51 percent business ownership requirement.

**COMMITTEE REFERRAL: COMMITTEE ON LEGISLATION**

Guests: Law Dept.: Asst. Deputy County Attorney Justin Adin and Associate County Attorney Shawna Macleod

## II. OTHER BUSINESS

## III. RECEIVE & FILE

1. [2026-197](#) HON. EMILJANA ULAJ - Croton-on-Hudson's Legislative Priorities 2026

Forwarding a Resolution adopted by the Board of Trustees of the Village of Croton-on-Hudson and their 2026 Legislative, Program and Project Priorities.

**COMMITTEE REFERRAL: COMMITTEE ON LEGISLATION**

2. [2026-204](#) HON. TYRAE WOODSON-SAMUELS - Memo of Leg. - Property Record Notification & Deed Theft Prevention Law

A Memo of Legislation to protect homeowners - particular seniors and vulnerable residents - from deed theft, fraudulent transfers, and unauthorized encumbrances by establishing a County-operated notification system, in coordination with the Westchester County Clerk, that alerts registered individuals when documents are recorded against their property.

**COMMITTEE REFERRAL: COMMITTEES ON LEGISLATION, BUDGET & APPROPRIATIONS AND INFRASTRUCTURE & HOUSING**

3. [2026-205](#) HON. TYRAE WOODSON-SAMUELS - Memo of Leg. - Public Safety Nuisance & Illegal Housing Enforcement Law

A Memo of Legislation to protect residents and neighborhoods by strengthening enforcement tools against illegal housing, chronic nuisance properties and repeat code violators that undermine public safety and quality of life - targeting of Zombie Homes/Distressed properties.

**COMMITTEE REFERRAL: COMMITTEES ON LEGISLATION AND INFRASTRUCTURE & HOUSING**

4. [2026-236](#) HON. JUDAH HOLSTEIN - Memo of Leg. - Safe Access to Religious Institutions Act

A Proposed Act to ensure safe, unobstructed access to religious institutions by establishing reasonable time, place and manner restrictions on protest activity near such locations, while fully preserving First Amendment Rights.

**COMMITTEE REFERRAL: COMMITTEES ON LEGISLATION AND SOCIAL SERVICES, DISABILITIES & HUMAN RIGHTS**

5. [2026-258](#) HON. JEWEL WILLIAMS-JOHNSON - Memo of Leg. - Proposal to Prohibit the Sale and Distribution of Kratom in Westchester County

A MEMO OF LEGISLATION to create a Local Law banning the sale, distribution, possession

and storage with intent to sell Kratom products within Westchester County.

**COMMITTEE REFERRAL: COMMITTEES ON LEGISLATION AND HEALTH**

6. [2026-259](#) HON. JEWEL WILLIAMS-JOHNSON - Memo of Leg. - Establish a Westchester County Tobacco and Vapor Product Permit Program  
A proposed Local Law adding a new Article to Chapter 535 of the Laws of Westchester County to require a County permit for the sale, offer for sale, or commercial distribution of tobacco products, vapor products, electronic cigarettes and related nicotine products in Westchester County.

**COMMITTEE REFERRAL: COMMITTEES ON LEGISLATION AND HEALTH**

7. [2026-267](#) HON. ANANT NAMBIAR - Memo of Leg. - Improve Cell Phone Coverage

Forwarding a Memo of Legislation proposing that the County work with cell tower infrastructure companies to utilize the latest technology on County owned properties to improve cell coverage.

**COMMITTEE REFERRAL: COMMITTEES ON LEGISLATION, INFRASTRUCTURE & HOUSING AND PUBLIC SAFETY & VETERANS**

8. [2026-293](#) CLERK OF THE BOARD - 2026 WC Animal Abuse Registry

Forwarding the 2026 Westchester County Animal Abuse Registry.

**COMMITTEE REFERRAL: COMMITTEE ON LEGISLATION**

## ADJOURNMENT



**Kenneth W. Jenkins**  
County Executive

January 22, 2026

Westchester County Board of Legislators  
Michaelian Office Building  
148 Martine Avenue, 8th Floor  
White Plains, New York 10601

Dear Honorable Members of the Board:

Attached hereto for your consideration is "A LOCAL LAW amending Chapter 535 of the Laws of Westchester County to prohibit the sale of camouflaged vaping devices in Westchester County."

In the late 1980's and 1990's, the federal government found that nicotine in tobacco was highly addictive and extremely dangerous to a person's health and that a high percentage of adult smokers begin smoking before they have reached eighteen years of age. In 2001, in response to these findings, this Honorable Board adopted a local law to prohibit the sale or transfer of tobacco products to people under the age of twenty-one and to restrict advertising of such products to the point of sale.

The use of electronic cigarettes or e-cigarettes, which contain high amounts of nicotine, by young people has soared in the past decade. In New York State, nearly one in five high school students report having used an e-cigarette (18.7%) according to studies cited by the New York State ("NYS") Department of Health. Studies have shown that vaping causes various adverse health effects such as impaired development, lung cancer, and heart conditions. Vape manufacturers advertise products designed to look like innocuous objects, such as highlighters, USB drives, ballpoint pens, smartphone cases, smartwatches, toys, and drink containers. This predatory marketing strategy provides a means by which underage users conceal nicotine delivery tools from parents, teachers, and other adults. Although New York State law prohibits the sale of vaping products to persons under the age of 21, camouflaged vaping devices make it easier for vendors and individuals to sell illegal products to minors by evading detection by law enforcement.

While the Laws of Westchester County ("LWC") also restrict the sale of tobacco products to persons under the age of 21, this proposed Local Law will amend the LWC by adding provisions which will prohibit the sale of deceptively designed vaping devices and e-cigarettes to any person. The Department of Health will enforce this Local Law. Persons who violate this law will be subject to the same penalties currently assessed pursuant to Article 13-F of the New York State Public Health Law entitled Regulation of Tobacco Products, Herbal Cigarettes and Smoking Paraphernalia; Distribution to Minors, including but not limited to: fines from \$300 to \$1500 for a first violation and from \$1000 to \$2500 for each subsequent violation.

**Office of the County Executive**  
Michaelian Office Building  
148 Martine Avenue  
White Plains, New York 10601

**Telephone: (914) 995-2900**

In light of the aforementioned, I recommend adoption of the attached Local Law.

Sincerely,



Kenneth Jenkins  
County Executive

KWJ/JW  
Enclosure

TO: HONORABLE BOARD OF LEGISLATORS  
COUNTY OF WESTCHESTER

our Committee has reviewed the attached, “A LOCAL LAW amending Chapter 535 of the Laws of Westchester County to prohibit the sale of camouflaged vaping devices in Westchester County.”

Your Committee recognizes that, in the late 1980’s and 1990’s, the federal government found that nicotine in tobacco was highly addictive and extremely dangerous to a person’s health and that a high percentage of adult smokers begin smoking before they have reached eighteen years of age. In 2001, in response to these findings, this Honorable Board adopted a local law to prohibit the sale or transfer of tobacco products to people under the age of twenty-one and to restrict advertising of such products to the point of sale.

Your Committee further recognizes that, the use of electronic cigarettes or e-cigarettes, which contain high amounts of nicotine, by young people has soared in the past decade. In New York State, nearly one in five high school students report having used an e-cigarette (18.7%) according to studies cited by the New York State (“NYS”) Department of Health. Studies have shown that vaping causes various adverse health effects such as impaired development, lung cancer, and heart conditions. Vape manufacturers advertise products designed to look like innocuous objects, such as highlighters, USB drives, ballpoint pens, smartphone cases, smartwatches, toys, and drink containers. This predatory marketing strategy provides a means by which underage users conceal nicotine delivery tools from parents, teachers, and other adults. Although New York State law prohibits the sale of vaping products to persons under the age of 21, camouflaged vaping devices make it easier for vendors and individuals to sell illegal products to minors by evading detection by law enforcement.

Your Committee is advised that, while the Laws of Westchester County (“LWC”) also restrict the sale of tobacco products to persons under the age of 21, this proposed Local Law will amend the

LWC by adding provisions which will prohibit the sale of deceptively designed vaping devices and e-cigarettes to any person. The Department of Health will enforce this Local Law. Persons who violate this law will be subject to the same penalties currently assessed pursuant to Article 13-F of the New York State Public Health Law entitled Regulation of Tobacco Products, Herbal Cigarettes and Smoking Paraphernalia; Distribution to Minors, including but not limited to: fines from \$300 to \$1500 for a first violation and from \$1000 to \$2500 for each subsequent violation.

As you know, this Honorable Board must comply with the requirements of the State Environmental Quality Review Act (“SEQRA”). The proposed act does not meet the definition of an action under New York State Environmental Quality Review Act and its implementing regulations 6 NYCRR Part 617. Please refer to the memorandum from the Department of Planning dated January 9, 2026, which is on file with the Clerk of the Board of Legislators.

Your Committee, after careful consideration, recommends the adoption of this Local Law amending Chapter 535 of the Laws of Westchester County to prohibit the sale of camouflaged vaping devices in Westchester County.

Dated: \_\_\_\_\_, 2026  
White Plains, New York

**RESOLUTION NO. \_\_\_\_ - 2026**

RESOLVED, that this Board hold a public hearing pursuant to Section 209.141(4) of the Laws of Westchester County on Local Law Intro. No. \_\_\_\_ - 2026, entitled, "A LOCAL LAW amending Chapter 535 of the Laws of Westchester County to prohibit the sale of camouflaged vaping devices in Westchester County." The public hearing will be held at \_\_.m. on the \_\_\_\_ day of \_\_\_\_\_, 2026 in the Chambers of the Board of Legislators, 8th Floor, Michaelian Office Building, White Plains, New York. The Clerk of the Board shall cause notice of the time and date of such hearing to be published at least once in one or more newspapers published in the County of Westchester and selected by the Clerk of the Board for that purpose in the manner and time required by law.

A LOCAL LAW amending Chapter 535 of the Laws of Westchester County to prohibit the sale of camouflaged vaping devices in Westchester County.

BE IT ENACTED by the County Board of the County of Westchester as follows:

**Section 1.** Section 535.11 of the Laws of Westchester County is hereby amended to read as follows:

**Sec. 535.11. Definitions.**

1. "Bar" means any indoor area open to the public devoted to the sale and service of alcoholic beverages for on-premises consumption and where the service of food is only incidental to the consumption of such beverages. Service of food shall be considered incidental if the food service generates less than forty (40) percent of total annual gross sales. Any bar that generates forty (40) percent or more of the total annual gross sales from the sale of food for on-premises consumption shall be a food service establishment.
2. "Cigarette rolling paper" means paper, or any other material except tobacco, prepared for use as a cigarette wrapper.
3. "Electronic cigarette" or "e-cigarette" means an electronic device that delivers vapor which is inhaled by an individual user, and shall include any refill, cartridge, or any other component of such a device. This term shall include such devices whether they are manufactured as e-cigarettes, e-cigars, e-pipes, or under any other product name.
- ~~3.4.~~ "Food service establishment" means any indoor area open to the public or portion thereof in which the business is the sale of food for on-premises consumption and which has an indoor seating capacity of greater than fifty (50) persons including, but not limited to

restaurants, cafeterias, coffee shops, diners, sandwich shops or short order cafes. A food service establishment shall not include the bar area of such establishment.

- 4.5. "Lockout device" means a token or other type of device which enables the operator of a vending machine containing tobacco products to directly regulate the sale of said items by limiting access to the vending machines to authorized adults.
- 5.6. "Point-of-sale advertising" means all printed or graphical materials bearing the brand name, but not the cigarettes packs and cartons, which alone or in conjunction with any other word, logo, symbol, motto, selling message or any other indicia of product identification identical or similar to, or identifiable with, those used for any brand of cigarettes, smokeless tobacco, electronic cigarettes, or other tobacco product which, when used for its intended purpose, can reasonably be anticipated to be seen by customers at a location at which tobacco products are offered for sale.
7. "Sell" means to sell, exchange, give, or dispose of to another, or offer or agree to sell, exchange, give, or dispose of to another.
- 6.8. "Tobacco business" means a sole proprietorship, corporation, partnership or other enterprise in which the primary activity is the sale, manufacture or promotion of tobacco, tobacco products and accessories either at wholesale or retail, and in which the sale, manufacture or promotion of other products is merely incidental.
- 7.9. "Tobacco products" means any product containing, made, or derived from tobacco or nicotine that is intended for human consumption, whether smoked, heated, chewed, absorbed, dissolved, inhaled, snorted, sniffed, or ingested by any other means, including, but not limited to cigarettes, cigars, little cigars, chewing tobacco, pipe tobacco, snuff; and any electronic device that delivers nicotine or other substances to the person inhaling from the device, including, but not limited to an electronic cigarette, vapor product, cigar, pipe, or

hookah. "Tobacco products" includes any component, part, or accessory of a tobacco product, whether or not sold separately.

"Tobacco product" does not include any product that has been approved by the United States Food and Drug Administration for sale as a tobacco cessation product or for other therapeutic purposes where such product is marketed and sold solely for such an approved purpose.

8.10. "Token" means a facsimile coin made available by an establishment for the purpose of use in vending machines.

11. "Vapor product" means any noncombustible liquid or gel, regardless of the presence of nicotine therein, that is manufactured into a finished product for use in an electronic cigarette, including any device that contains such noncombustible liquid or gel. "Vapor product" does not include any device, or any component thereof, that does not contain such noncombustible liquid or gel, or any product approved by the United States Food and Drug Administration as a drug or medical device, or manufactured and dispensed.

**Section 2.** Chapter 535 of the Laws of Westchester County is hereby amended include a new Section 535.21-a, to read as follows:

**Sec. 535.21-a. Sale of Camouflaged E-Cigarettes or Vaping Products Prohibited**

It shall be unlawful to sell, offer for sale, and/or permit the sale or transfer to any person of any age e-cigarettes or vaping products, regardless of the presence of nicotine therein, that resemble or are designed to resemble school supplies, common personal items including, but not limited to, highlighters, USB drives, ballpoint pens, smartphone cases, smartwatches, toys, drink containers and/or backpacks.

**Section 3.** Section 535.81 of the Laws of Westchester County is hereby amended to read as follows:

**Sec. 535.81. Enforcement and penalties.**

1. The Westchester County Board of Health is authorized to enforce the provisions of this chapter.
2. Any person who violates any provision of this chapter:
  - ~~a.~~ Shall be subject to a fine or civil penalty of a minimum of \$300.00, but not to exceed \$1,000.00 for a first violation within a two-year period;
  - ~~b.~~ Shall be subject to a fine or civil penalty of a minimum of \$500.00, but not to exceed \$1,500.00 for each subsequent violation within a two-year period; and
  - ~~a.e.~~ Shall also be subject to the any penalties provided for under New York State Public Health Law § 1399-ee and § 1399-ff ~~unless such penalty is expressly provided for herein.~~
  - ~~b.d.~~ If an individual violates this provision three times or more within a two-year period, then, in addition to any other penalty permitted by this section, the New York State Commissioner of Taxation and Finance shall be contacted in order to suspend the individual's applicable registration in accordance with New York State Public Health Law § 1399-dd.
3. A person shall be guilty of a Class B misdemeanor and subject to penalty as prescribed by law if he or she has violated any provision of this chapter, except that a person may only be guilty of a B misdemeanor for violating sections 535.21(1), 535.21-a, 535.41(3) or 535.61, if said person has violated those provisions more than once.

4. This chapter shall not be construed to exclude any other remedy provided by law.

**Section 4.** *Effective Date.* This Local Law shall take effect immediately.



## Memorandum

**Jewel Williams Johnson**

Legislator, District 8

Michaelian Office Building

To: Sunday Vanderburgh

From: Jewel Williams Johnson

Date: April 16, 2026

Re.: Establish a rebuttable presumption in regards to the possession of flavored nicotine vapor products

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Please place the attached proposal, the adoption of “A LOCAL LAW amending Chapter 535 of the Laws of Westchester County to establish a rebuttable presumption in regards to the possession of flavored nicotine vapor products in the County of Westchester”, on the agenda for the April 20, 2026 meeting of the Westchester County Board of Legislators so that it may be referred to the appropriate committees.

Thank you.

cc: James Silverberg, Legislative Director  
Dylan Tragni, Chief of Staff

TO: HONORABLE BOARD OF LEGISLATORS  
COUNTY OF WESTCHESTER

Your Committee recommends the adoption of “A LOCAL LAW amending Chapter 535 of the Laws of Westchester County to establish a rebuttable presumption in regards to the possession of flavored nicotine vapor products in Westchester County.”

Your Committee recognizes that, in 2020, New York State banned the sale of flavored nicotine vapor products across the State, with the exception of unflavored and tobacco-flavored products, as well as nicotine vapor products approved by the federal government. The New York State Commissioner of Health had noted prior to the passage of the ban that:

Flavors are largely responsible for the dramatic increase in use of e-cigarettes by youth and are a principal reason that youth initiate and maintain e-cigarette use. According to Department of Health data, nearly 40 percent of 12th grade students and 27 percent of high school students in New York State are now using e-cigarettes, and this increase is largely driven by flavored e-liquids. High school use in 2018 (27.4%) is 160 percent higher than it was in 2014 (10.5%). While New York's high school student cigarette smoking rate dropped from 27.1% in 2000 to a record low of 4.3% in 2016, aggressive marketing strategies promoting flavored e-cigarettes are primed to reverse that trend.

NYS Department of Health, [https://health.ny.gov/press/releases/2020/2020-05-18\\_fl\\_nicotine\\_vapor\\_products\\_ban.htm](https://health.ny.gov/press/releases/2020/2020-05-18_fl_nicotine_vapor_products_ban.htm). The Commissioner also noted that flavoring had been a “key youth marketing strategy of the vaping/aerosol industry.”

Your Committee further recognizes that the challenge with the New York State law prohibition is that it does not outright ban the possession of flavored nicotine vapor products. Retail dealers are still permitted to sell these products to consumers online and/or in other states or jurisdictions where their sale is legal. According to the County’s Health Department, where a retail dealer is caught in possession of flavored nicotine vapor products, the retail dealer will simply claim that they possess them for purposes of out-of-state or online sales, without any proof thereof, and thereby flouting the New York State ban on the sale of nicotine vapor products. This leaves the Health Department in the position where it is required to not only prove possession, but to prove intent, despite there being no evidence to support the retail dealer’s position.

Your Committee is advised that, this proposed amendment to Chapter 535 of the Laws of Westchester County would close this loophole. If a retail dealer is found to be in possession of flavored nicotine vapor products, there would be a presumption of an intent to sell those products. The retail dealer would have an opportunity to rebut that presumption by a preponderance of the evidence that their possession was only with the intent to sell those products either on-line or out-of-state (where the sale of which is legal) and not in New York State or Westchester County.

As you know, this Honorable Board must comply with the requirements of the State Environmental Quality Review Act (“SEQRA”). The proposed amendment does not meet the definition of an action under New York State Environmental Quality Review Act and its implementing regulations 6 NYCRR Part 617. Please refer to the memorandum from the Department of Planning dated January 9, 2026, which is on file with the Clerk of the Board of Legislators.

Your Committee, after careful consideration, recommends adoption of this Local Law.

Dated: \_\_\_\_\_, 2026  
White Plains, New York

COMMITTEE ON

**RESOLUTION NO. \_\_\_\_ – 2026**

RESOLVED, that this Board hold a public hearing pursuant to Section 209.141(4) of the Laws of Westchester County on Local Law Intro. No. \_\_\_\_ - 2026, entitled, “A LOCAL LAW amending Chapter 535 of the Laws of Westchester County to establish a rebuttable presumption in regards to the possession of flavored nicotine vapor products in Westchester County.” The public hearing will be held at \_\_.m. on the \_\_\_\_ day of \_\_\_\_\_, 2026 in the Chambers of the Board of Legislators, 8th Floor, Michaelian Office Building, White Plains, New York. The Clerk of the Board shall cause notice of the time and date of such hearing to be published at least once in one or more newspapers published in the County of Westchester and selected by the Clerk of the Board for that purpose in the manner and time required by law.

A LOCAL LAW amending Chapter 535 of the Laws of Westchester County to establish a rebuttable presumption in regards to the possession of flavored vapor products in Westchester County.

BE IT ENACTED by the County Board of the County of Westchester as follows:

**Section 1.** Chapter 535 of the Laws of Westchester County is hereby amended to include a new Section 535.21-b, to read as follows:

Sec. 535.21-b. Presumption Related to the New York State Ban on the Sale of Flavored Vapor Products

1. There shall be a rebuttable presumption that a vapor products dealer, as defined in Section 1399-aa(18) of the New York State Public Health Law, in possession of four (4) or more flavored vapor products, as defined by Section 1399-mm-1(1) of the New York State Public Health Law, in or on the premises of a tobacco business or retail establishment possesses those products to sell, offer for sale, or transfer to persons flavored vapor products in violation of Section 1399-mm-1.

2. Any vapor products dealer charged with a violation of Section 1399-mm-1 of the New York State Public Health Law may overcome the presumption in subdivision 1 of this section by establishing based upon a preponderance of the evidence that said vapor products are for sale or offered for sale solely to consumers on-line and residing in other states and jurisdictions where their sale is not prohibited.

**Section 2.** Effective Date. This Local Law shall take effect immediately.

**TO: BOARD OF LEGISLATORS  
COUNTY OF WESTCHESTER**

Your Committee has reviewed “A LOCAL LAW amending section 277.509(A) of the Laws of Westchester County, eliminating the master plumber 51 percent business ownership requirement.”

Your Committee is aware that Article XV of Chapter 277 of the Laws of Westchester County, entitled the Westchester County Board of Plumbing Examiners and County-Wide Plumbing License (“Plumbing Licensing Law”), which became effective January 1, 1996, was enacted to properly protect the public health, safety, and welfare of Westchester County residents by establishing a Board of Plumbing Examiners, and empowering that board to assume all duties within the County regarding the licensure of plumbers and the issuance of a county-wide plumbing license.

Your Committee is further aware that, under the Plumbing Licensing Law, only Westchester County licensed or certified plumbers can perform plumbing work and hire themselves out as plumbers within the County. As enacted, section 277.509(A) of the Plumbing Licensing Law permits plumbers to use their licenses for or on behalf of a business entity, but only if “51 percent or more of the control of the voting capital stock of such partnership, corporation or other business association is owned by one or more holders of a Westchester County master plumbing license [hereafter, the ‘Ownership Requirement’],” and “all work” performed by the entity is performed by or under the direct supervision of a licensed master plumber.

Your Committee has been informed that in 2003, the Supreme Court of the State of New York, Rockland County, struck down as unconstitutional a Rockland County local law containing a clause similar to Westchester County's 51 percent Ownership Requirement. *See Collins, et al. v. Rockland Cnty. Bd. of Plumbing, Heating & Cooling Exam'rs, et al.*, Index No. 7393/01 (Sup. Ct. Rockland Cnty. Feb. 28, 2003) (O'Rourke, J.S.C.). Rockland County's plumbing licensing law prohibited a licensed master plumber, heating or cooling contractor from acting on behalf of a corporation unless the corporation was at least 40 percent owned by Rockland County license holders. The Court in the Rockland case found no rational relationship between Rockland County's 40 percent ownership requirement and the county's stated reason for passing the law—the promotion and protection of the county's public safety and health. Instead, the Court determined that the law functioned as an impermissible bar to competition among corporations seeking to do business in the county. The Court concluded that Rockland County's law was not a proper exercise of the county's police power under section 10 of the New York State Municipal Home Rule Law, and that it was unconstitutional under both the United States and New York State Constitutions as an “unnecessary and unreasonable discriminatory and oppressive restriction.”

Your Committee understands that Westchester's Ownership Requirement is potentially vulnerable to a constitutional challenge for the same reasons that Rockland County's 40 percent requirement was invalidated. Moreover, while the Plumbing Board did not enforce the 51% requirement for an extended period of time following the decision in Rockland County, the Plumbing Board's recent enforcement of the Ownership Requirement has raised numerous issues regarding the Rule's applicability, any of which could raise potential legal issues.

Your Committee has found that eliminating section 277.509(A)'s Ownership Requirement will not undermine the law's fundamental goal of protecting the public health, safety, and welfare. Section 277.509(A) will continue to fulfill the purpose of the law because it will continue to require, among other things, all plumbing work conducted by the relevant businesses to be performed by, or under the direct supervision of, a licensed Westchester County Master Plumber. If the County does not remove the Ownership Requirement from section 277.509(A), however, it risks legal challenges to the provision's validity and applicability.

Your Committee is aware that this Honorable Board must comply with the requirements of the State Environmental Quality Review Act ("SEQRA") and its implementing regulations. *See* Title 6, Part 617 of the New York Code Rules and Regulations (NYCRR). The proposed legislation does not meet the definition of an action under SEQRA and its implementing regulations 6 NYCRR Part 617. Please refer to the memorandum from the Department of Planning dated January 9, 2026, which is on file with the Clerk of the Board of Legislators.

In light of the foregoing, your Committee recommends the adoption of this Local Law.

Dated: 2026  
White Plains, New York

COMMITTEE ON

**RESOLUTION NO. \_\_\_\_ – 2026**

RESOLVED, that this Board hold a public hearing pursuant to Section 209.141(4) of the Laws of Westchester County on Local Law Intro. No. \_\_\_\_ - 2026, entitled “A LOCAL LAW amending Section 277.509(A) of the Laws of Westchester County, eliminating the master plumber 51 percent business ownership requirement.” The public hearing will be held at \_\_.m. on the \_\_\_\_ day of \_\_\_\_\_, 2026 in the Chambers of the Board of Legislators, 8th Floor, Michaelian Office Building, White Plains, New York. The Clerk of the Board shall cause notice of the time and date of such hearing to be published at least once in one or more newspapers published in the County of Westchester and selected by the Clerk of the Board for that purpose in the manner and time required by law.



# FISCAL IMPACT STATEMENT

**SUBJECT:** \_\_\_\_\_

**NO FISCAL IMPACT PROJECTED**

## OPERATING BUDGET IMPACT

### SECTION A - FUND

GENERAL FUND

AIRPORT FUND

SPECIAL DISTRICTS FUND

### SECTION B - EXPENSES AND REVENUES

**Total Current Year Expense** \_\_\_\_\_

**Total Current Year Revenue** \_\_\_\_\_

**Source of Funds** (check one):  
Current Appropriations                      Transfer of Existing  
Additional Appropriations                      Appropriations Other (explain)

**Identify Accounts:** \_\_\_\_\_

**Potential Related Operating Budget Expenses:**                      Annual Amount \_\_\_\_\_

**Describe:** \_\_\_\_\_

\_\_\_\_\_

**Potential Related Operating Budget Revenues:**                      Annual Amount \_\_\_\_\_

**Describe:** \_\_\_\_\_

\_\_\_\_\_

**Anticipated Savings to County and/or Impact on Department Operations:**

**Current Year:** \_\_\_\_\_

\_\_\_\_\_

**Next Four Years:** \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**Prepared by:** \_\_\_\_\_ **Approved by:** \_\_\_\_\_

**Title:** \_\_\_\_\_ **Budget Director**

**Department:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Date:** \_\_\_\_\_

**LOCAL LAW INTRO. NO. -2026**

A LOCAL LAW amending section 277.509(A) of the Laws of Westchester County, eliminating the master plumber 51 percent business ownership requirement

BE IT ENACTED by the County Board of the County of Westchester as follows:

**Section 1:** Section 277.509(A) of the Laws of Westchester County is hereby amended to read as follows:

**Sec. 277.509. - Unlawful use of license or certification; display.**

A. No holder of a license or certification issued under this article shall authorize, consent to or permit the use of his or her license or certification by or on behalf of any other person. No person who has not qualified or obtained a license or certification under this article shall represent himself or herself to the public as holder of a license or certification issued under this article, either directly, by means of signs, sign cards, metal plates or stationery, or indirectly in any other manner whatsoever. However, nothing herein shall be construed to prohibit the use of a license by the holder thereof for or on behalf of a partnership, corporation or other business association, provided that ~~51 percent or more of the control of the voting capital stock of such partnership, corporation or other business association is owned by one or more holders of a Westchester County master plumbing license and that all plumbing~~ work performed by such partnership, corporation or other business association is performed by or under the direct supervision of ~~such license a~~ holder or holders of a Westchester County master plumbing license.

**Section 2:** This Local Law shall take effect immediately.

**Emiljana Ulaj**

Legislator, 9th District  
Chair, Intergovernmental Affairs



**Committee Assignments:**  
Appointments  
Health  
Labor  
Legislation

MEMORANDUM

TO: Vedat Gashi, Chair, Board of Legislators

FROM: Emiljana Ulaj, Legislator – 9<sup>th</sup> District

DATE: April 20, 2026

RE: The Village of Croton-on-Hudson’s Annual Legislative Priorities

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Please add the attached resolution to the agenda of the April 20, 2026 Board of Legislators meeting for referral to the Legislation committee.

On motion of TRUSTEE SIMON, seconded by TRUSTEE NICHOLSON, the following resolution was adopted by the Board of Trustees of the Village of Croton-on-Hudson, New York with a 5-0 vote.

Resolution #65-2026

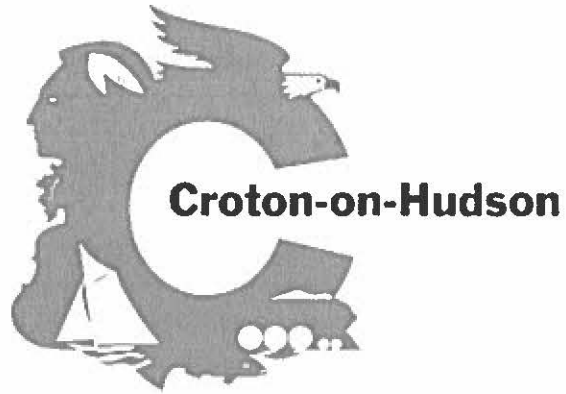
WHEREAS, the Village of Croton-on-Hudson has the practice of establishing Annual Legislative Priorities to streamline responses to legislative proposals affecting the Village and optimize the allocation of limited advocacy resources; and

WHEREAS, a document outlining the Village's Legislative, Program and Project Priorities for 2026 has been drafted,

NOW THEREFORE BE IT RESOLVED: that the Village of Croton-on-Hudson adopts and approves the 2026 Legislative, Program and Project Priorities attached and incorporated herein by this reference,

AND BE IT FURTHER RESOLVED: that the Village Clerk is hereby directed to send this resolution and legislative packet to the federal, state and county legislators representing the Village of Croton-on-Hudson.

Dated: March 25, 2026



**Village of Croton-on-Hudson**

**Legislative, Program and Project Priorities**

**2026**

**March 2026**

**Stanley H. Kellerhouse Municipal Building  
One Van Wyck Street  
Croton-on-Hudson, NY 10520-2501  
[www.crotononhudson-ny.gov](http://www.crotononhudson-ny.gov)**



Stanley H. Kellerhouse Municipal Building  
One Van Wyck Street  
Croton-on-Hudson, NY 10520-2501  
[www.crotononhudson-ny.gov](http://www.crotononhudson-ny.gov)

March 2026

Dear Colleagues:

The pages which follow summarize the legislative, program and project priorities for the Village of Croton-on-Hudson for 2026.

These priorities were approved via resolution by a majority of the Board on March 25, 2026. They represent the Village's objectives at the state and federal levels in a number of key areas including housing, sustainability, public safety, transportation and economic development.

We look forward to working with you this year towards achieving progress in each of the important subject areas discussed in this document. Please contact me at [bhealy@crotononhudson-ny.gov](mailto:bhealy@crotononhudson-ny.gov) or 914-271-4848 with any questions or suggestions.

Thank you on behalf of all of Croton's residents for your help as we continue to strengthen Croton for the promising years ahead. Please let us know if we can assist you in any way.

Sincerely,

**Bryan Healy**  
Village Manager

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## STATE BUDGET PRIORITIES

**A. AIM and TMA Programs.** The state Aid and Incentives for Municipalities (AIM) program has been of great benefit to Croton, returning local dollars from Albany for widespread Village uses. After 15 years of not increasing the program, the 2024-2025 state budget continued to keep AIM flat, but also added \$50 million for a new Temporary Municipal Assistance (TMA) program to supplement AIM funding. This arrangement was continued in the 2025-2026 budget. The Governor initially proposed to continue TMA at that level in 2026, but on February 19<sup>th</sup> proposed to add an additional \$100 million to the TMA level.

*Croton-on-Hudson supports continued funding for TMA, thanks the Governor for the total proposed funding of \$150 million and urges its adoption by the legislature. Because this increase remains temporary, it is essential that this program be made permanent going forward – ensuring stable, predictable support that strengthens our communities and eases the property tax burden on residents. Croton also believes that AIM itself should be increased to make up for the years in which it has been eroded by inflation.*

**B. Transportation Assistance for Village Mobility.** The Governor’s proposed budget maintains funding at current year levels of \$648 million for the Consolidated Local Street and Highway Improvement Program (CHIPS), despite the considerable inflation in recent years which have strained local infrastructure spending.

*Croton-on-Hudson supports a higher level of funding for CHIPS to help address rising needs and costs at the local level and the effects of inflation.*

**C. Pro-Housing Communities.** In February 2024 Croton was very pleased to be designated as one of the state’s first 20 Pro-Housing Communities, a program established by the Governor to recognize and reward municipalities actively working to add to their housing supply. Only Pro-Housing Communities can apply for certain state assistance programs, such as: (1) Downtown Revitalization Initiative; (2) NY Forward; (3) Regional Council Capital Fund; (4) New York Main Street; (5) Market New York capital grants; and (6) Mid-Hudson Momentum Fund.

*Croton-on Hudson urges full funding for these programs in 2026. Croton intends to apply or reapply for several of these in the future, which are supported in the Governor’s budget and we urge their inclusion in the budgets adopted by the Assembly and Senate. Croton also supports the funding allocated to the Regional Economic Development Councils for regional priority projects.*

**D. Law Enforcement Technology Funding.** The Governor’s budget includes \$50 million for the Law Enforcement Technology (LETECH) grants, supporting policing agencies in the state in acquiring critical technologies and equipment to enhance crime prevention and

community engagement. Qualifying purchases would include license plate readers, body-worn and vehicle equipment, and cameras to combat crime.

*Croton-on-Hudson supports this funding, has been a recipient of grants from it in past years and looks forward to the opportunity to apply for it again if it is contained in the final budget.*

**E. Volunteer Fire Infrastructure and Response Equipment** – The Governor’s proposed budget maintains funding for volunteer fire departments, including \$25 million dedicated to capital infrastructure and equipment. This aligns with recent initiatives aimed at supporting first responders, upgrading facilities, and improving emergency response capabilities. In addition to the infrastructure and equipment, proposals include specialized training and peer-to-peer programs, and support programs designed to aid recruitment and retention, such as the volunteer firefighter training stipend program and tax credit incentives.

*Croton-on-Hudson supports additional funding for local fire departments as outlined in the Governor’s budget, has applied for this funding in the most recent round and would look forward to applying for additional project funding in the future.*

**F. Water and Sewer Infrastructure Funding**. The Executive Budget includes a new \$750 million (\$3.75 billion over 5 years) for drinking water and wastewater infrastructure. The majority of this funding (\$500 million) will go into the Water Infrastructure Improvement Grant Program. This investment also includes a new Smart Growth Water Grant Program (\$200 million) that will focus on sewer and water projects that directly enable the preservation and construction of new housing units and the creation of permanent jobs.

*Croton-on-Hudson supports additional funding for water and sewer infrastructure and believes the new water infrastructure program dedicated to housing would be beneficial. Croton also supports NYCOM’s advocacy of a dedicated funding stream for cities and villages with municipal water and/or sewer systems.*

**G. Fixing Tier 6**. Public sector salaries cannot keep pace with the private sector. The most cost-effective, universal way to positively impact public sector hiring and retention is to improve the Tier 6 pension plan. The Tier 6 pension plan, enacted in 2012, significantly increases contributions and reduces benefits for all public employees in New York hired since then. The pension plan has a higher minimum age of 63 for public sector workers to receive full retirement benefits. This is particularly unfair for those that work in physically demanding jobs.

*Croton-on-Hudson supports a fiscally responsible fix to Tier 6 that will enable the public sector to compete effectively with private firms for talent and better serve residents.*

**H. State Route 129.** NY State Route 129 in Westchester County, particularly the stretch between Croton-on-Hudson and Route 118 in Yorktown, is frequently cited as having poor conditions, characterized by severe potholes and crumbling asphalt which present significant safety concerns. Temporary fixes, such as filling potholes with blacktop, are common, but these often fail after winter, creating hazardous driving conditions. In late 2025, Route 129 was closed for a period in both directions at Mount Airy Road East due to a downed pole and wires.

*Croton-on-Hudson has urged NY DOT to urgently address the problems of Route 129. In response they have indicated that they do not have any upcoming plans to address the poor conditions of the road. The Village urges that the legislature include funding and language in the budget to provide a speedy remedy to the problems associated with Route 129.*

### **LEGISLATION JOINTLY SUPPORTING WITH NYCOM**

**A. Waste Reduction Initiatives.** Municipal solid waste programs in the United States handle more refuse than any other country. In New York State, General Municipal Law § 120-aa requires all local governments to adopt laws for source separation and the segregation of recyclable materials from solid waste. Historically, the collection of recyclables could offset program costs, as material recovery facilities (MRFs) sold recovered materials and shared a portion of the proceeds with municipalities. However, shifts in global recycling markets have made many materials unprofitable, particularly for states like New York that must export recyclables due to limited local manufacturing markets. This creates a challenge for cities and villages in balancing policy-driven recycling requirements with market realities. As a result, NYCOM supports the following legislative proposals including the Packaging Reduction and Recycling Infrastructure Act and expansion of bottle recycling to include diversifying the types of beverage containers requiring a deposit, which will help keep glass and other materials and products out of the waste stream to ensure that the integrity of the remaining materials is preserved and will help recyclable materials and glass be more easily directed to the appropriate markets. NYCOM also supports increasing the deposit as a mechanism to boost the return of beverage containers and discourage New Yorkers from disposing of such containers in the municipal waste stream.

**B. Address Water Contamination and Protection.** NYCOM supports the state assisting local governments in developing resources and programs to keep drinking water sources free from contamination. Additional mandates must be predicated on state funding made available to help cover the expense of both the testing and installation of required remedial systems, including costs associated with pending or future federal regulations. Priorities include: (1) Lead Service Line Replacement Assistance; (2) PFAS Monitoring, Treatment, and Biosolids Management (3) Microplastics Prevention and Treatment; and (4) Prevent and Respond to Harmful Algal Blooms (HABs)

**C. Reform the Civil Service Appointment Process.** Municipalities are always looking for innovative ways and additional tools to manage their workforce more effectively and efficiently. Unfortunately, in many instances, they are restricted by arcane civil service rules. The Civil Service Law should be amended to expand the list of titles eligible for appointment without examination for professional, scientific, technical, information technology or other professions with specialized skills, such as water and wastewater operators and engineers. Many of these positions already require licensing or certifications approved by the State. Therefore, requiring them to take a second civil service exam is unnecessary.

**D. Increase the Public Employee Retiree Salary Cap.** Under current law, a New York State retiree receiving a public pension is prohibited from earning more than \$35,000 per year in public employment while under the age of 65 without incurring a potential reduction of their pension benefits. The \$35,000 cap makes it difficult for some municipalities to find qualified and experienced public sector retirees who are willing to accept additional employment at that salary level. Increasing the cap to \$50,000 would give local governments the ability to potentially hire additional public sector retirees without the added expense of costly fringe benefits that are frequently associated with non-retiree employment positions (A.8720-A/S.6956-B).

#### **LEGISLATION JOINTLY SUPPORTING WITH WESTCHESTER COUNTY**

Croton-on-Hudson is pleased to join County Executive Ken Jenkins and the County Board of Legislators in supporting these important legislative initiatives at the state level, each of which will benefit our County and the Village:

**A. Amend the State Transportation Operating Assistance Formula.** Westchester County's Bee Line Bus Service has a larger ridership than Nassau County, but receives less in State Transportation Operating Assistance (STOA). The STOA formula currently prioritizes the distance of a transportation system rather than its ridership. This favors counties like Nassau and provides Westchester with a more limited allocation despite its higher ridership and significant transportation issues. 51% of Westchester's riders are transit-dependent, meaning they rely on the Bee Line and do not have a car for their use. Westchester's Bee Line needs more investment over the next decade, and the structural disadvantage of the STOA formula actively denies funding which Westchester would use to improve its routes, to provide a variety of climate friendly transportation routes, and to improve the conditions of its drivers. As such, Westchester requests that the STOA formula be amended to prioritize the ridership of a system, not the distance which it travels, or that Westchester receives parity with Nassau County's STOA funding.

**B. Limiting Utility Costs for Ratepayers.** Over the last several years, the Public Service Commission (PSC) has approved multiple significant rate increases for public utilities which have stretched many ratepayers to the limit. To alleviate this burden on

families, Westchester County supports the following items of legislation: (a) S1896 (Mayer) / A1028 (Barrett) - *Reduce Rate of Return on Equity for Utilities* - require regulated utilities to adopt the rate of return on equity and common equity ratio as promulgated by the Public Service Commission by using an updated generic financing methodology when setting final utility rates, which will provide the lowest possible delivery rates for ratepayers; (b) S3734A (Mayer) - *Limit Expenses Utilities Recover from Ratepayers* - limit the expenses utility companies can recover at cost from ratepayers, specifically those related to their participation in rate cases and excess employee and executive salaries; (c) S7693 (Mayer) / A8150 (Barrett) - *Ratepayers Receive all Excess Earnings* -require gas and electric utilities to return all revenues earned in excess of their authorized rate of return on equity to ratepayers; (d) S5593 (Mayer) - Rate Compression - address and mitigate the financial burdens placed on consumers due to escalating utility rates and the effects of retroactive rate adjustments (known as "make whole provisions") that occur when rate cases run longer than allowed by statute.

**C. Design Build for Flooding Projects.** In 2019, seven New York City agencies received authorization to utilize Design-Build project delivery (as opposed to Design-Bid-Build) through the Public Works Investment Act (PWIA). Design-Build consolidates projects into one point of responsibility, where design and construction are unified, allowing one team to deliver the best project at the best value. In 2025, Westchester County secured Design-Build project delivery authorization for four expensive capital projects, providing significant cost savings. Many municipalities in Westchester face serious challenges related to flooding. The federal government has cut funding for FEMA, eliminated grant programs funding flood mitigation efforts, and shut down existing programs. In order to allow Westchester County to continue our work on flood mitigation – a challenge that gets more severe the longer it remains unaddressed – the County asks for authorization to utilize Design/Build for flooding-related projects. The cost savings realized by this authorization will allow the County to undertake mitigation work despite increased fiscal pressures from a hostile federal government.

**D. Illegal DIY Machine Guns and 3-D Printed Ghost Guns.** DIY machine guns are a growing threat to public safety. They are illegal to possess under both federal and state law, but can easily be purchased illegally for as little as \$25 or 3D-printed at home, and can be trafficked easily because they are so small. Three-dimensional printing is a rapidly growing manufacturing method for people who want to get around New York’s strong gun safety laws and illegally make ghost guns and deadly firearm accessories like switches. The Governor’s budget proposal would make New York the first state in the nation to expand its approach to ghost guns by focusing on preventing 3D printers from creating them in the first place. The bill would require manufacturers of 3D printers to equip their products with software that will block the execution of any file designed to make guns, gun components, or illegal gun accessories such as switches and other rapid-

fire devices. The proposal would also outlaw the distribution and use of these digital files to or by anyone who is not a state and federally licensed gunsmith.

**E. Municipal Bonding for Solar Projects.** This proposed legislation extends the period municipalities can bond for solar projects from 5 to 25 years to improve financing option. (S4126 A7640)

**F. Provide Peer to Peer Mental Health Support to First Responders.** Westchester’s first responders frequently face dangerous, stressful, and occasionally life threatening situations. First responders are known to conduct their work while facing an increased risk for mental illnesses such as depression and posttraumatic stress disorder. Peer support programs are known to be particularly effective for those dealing with the uniquely challenging emotional situations that first responders routinely encounter. These programs have a strong track record in identifying risk factors for behavioral and mental health problems, reducing stigma and allowing clients to work through personal trauma, and connecting clients with outside support when necessary. S5407A/A7285A would establish a First Responder Peer Support Program establishing State-level standards, modeled off of the highly successful Joseph P. Dwyer Veterans Peer to Peer Support Program, jumpstarted by implementation a State-level grant program

**G. Packaging Reduction and Recycling Infrastructure Act (S.1464/A.1749).** As the tipping fees required to dispose of solid waste rise and the amount of packaging proliferates, taxpayers are paying more and more to dispose of garbage. This legislation requires companies with a net annual income of over \$1 million selling, offering for sale, or distributing covered packaging materials and products to reduce consumer packaging and improve recycling and recycling infrastructure. The bill includes supporting reusable and refill infrastructure, financially supporting municipal recycling programs, reducing toxins in packaging and requiring producers of products to take responsibility for end-of-life solutions to product packaging. It is estimated to save taxpayers in New York State over \$200 million each year and would reduce Village recycling costs.

**H. Parkland Exemption for Renewable Projects (S270 / A10058).** This bill would allow solar energy projects under 2 megawatts, located over parking lots in parks to bypass the procedure of requesting an act from the Legislature for the alienation of parkland. This would result in certain solar projects being implemented more efficiently, saving time, and reducing the carbon footprint. Carport solar arrays have proven to be a source of municipal revenue in addition to clean energy. Making more parking lots eligible for such solar arrays is in the interest of taxpayers and the environment

## LEGISLATION JOINTLY SUPPORTING WITH WMOA

Croton is pleased to join with the Westchester Municipal Officials Association to support these policy initiatives which would benefit municipalities throughout the County including Croton-on-Hudson.

**A. SEQRA Reform.** We support efforts to streamline SEQRA that preserve its worthy environmental goals while simplifying the process. In some cases, the SEQRA process makes building risky, expensive, and slow. We commend Gov. Hochul's preliminary proposals for SEQRA reform, and we look forward to working with the legislators on this priority project. We continue to oppose State overrides of local zoning, which complicates our ability to pursue the housing growth we need.

**B. General Ambulance Service as an Essential Service and State Funding for EMS.** Once the Comprehensive Emergency Medical Plans are completed in 2026 by the counties, the State should declare general ambulance service as essential and create a sustainable funding stream to support it. Emergency medical providers are in a dire situation: recruitment and retention problems, rising mutual aid requests, longer travel and wait times, inconsistent training opportunities, and insufficient Medicaid reimbursement.

**C. Renew the Clean Energy Communities Program.** The CEC program provided important grant assistance for communities striving to invest in clean-energy solutions. The program should be renewed.

**D. Exclude Capital Costs from Tax Cap.** WMOA seeks an exclusion from the cap for expenditures on public infrastructure—an exclusion already granted to schools and used by the state itself. The tax cap rules discourage capital investment at a time when such investment is critically needed.

**E. Fees for Services on Tax Exempt Property and MTA Maintenance Fee.** WMOA supports legislation that provides a local option to charge tax-exempt properties for the cost of services such as police protection, fire protection, street and highway construction, maintenance and lighting, sanitation and water. WMOA also supports legislation to review the annual \$19 million tax levy for station maintenance collected by the county to determine whether the taxes raised exceed the likely cost of the services communities receive.

**CROTON-ON-HUDSON FIRE DEPARTMENT (CFD) LEGISLATIVE PRIORITIES &  
LEGISLATION JOINTLY SUPPORTED WITH  
FIREFIGHTERS ASSOCIATION OF THE STATE OF NEW YORK (FASNY)**

**CFD**

- A. Workman's Compensation Parity.** Volunteer Firemen's Benefit Law Parity, Expansion of Volunteer Coverage, to include a higher weekly rate. Currently paid firefighters that receive workmen's compensation for on-the-job injuries get a much higher weekly amount than a volunteer who gets injured at the same fire.
- B. Income and Property Tax Credits.** Increase the income tax credit and enable individuals to receive both the Income Tax Credit and the Real Property Tax Credit annually.
- C. Credit Towards Pension or Retirement Systems.** Volunteer and Emergency Service members could earn service credits toward pension or retirement systems based on their years of active duty. Seeking to provide 1 year of service credit for the State Retirement System for every 5 years of volunteer fire service, with a maximum of 3 years of credit. Adding or improving retirement credit eligibility provides long-term recognition and financial stability for those who dedicate their careers or extended volunteer service to public safety.
- D. Reimbursement for Reasonable Expenses Incurred.** Add a new provision in the General Municipal Law (new § 200-d) authorizing an Authority Having Jurisdiction or fire company to provide reimbursement for reasonable expenses incurred, whether through gift cards, gas cards, or in an amount not to exceed the Federal IRS Form 1099 threshold and exempt such payment from State income tax.

**FASNY**

- A. Sales Tax Exemption for Home Life Safety Products.** Provides a sales tax exemption for home life safety products purchased in New York during Fire Safety Awareness Month (October) to encourage residents to equip their homes with essential safety tools (S5468/A6816).
- B. Amend Mental Hygiene Law / First Responder Peer Support Program Act.** To address the risk of depression, PTSD, and suicide among first responders, this legislation would establish an anonymous peer support program with no reporting requirements to protect the privacy of those seeking help. Also supported by Westchester County (S5407/A7285).
- C. Increase Income Tax Credit for Volunteer Firefighters & Ambulance Workers.** This priority aims to increase the volunteer firefighter/ambulance worker income tax credit to \$800 to help recruit and retain volunteer first responders (S6233/A6790).

## LEGISLATION SUPPORTED BY THE VILLAGE OF CROTON-ON-HUDSON

As the 2026 legislative session in Albany continues, Croton-on-Hudson has a strong interest in the consideration of certain measures, as described below.

**A. New York for All Act (S.2235 / A.3506).** The Village of Croton-on-Hudson supports the New York for All Act to ensure that local resources are not diverted to assist in federal immigration enforcement, thereby protecting our immigrant residents. By prohibiting local law enforcement and agencies from sharing sensitive information with federal authorities, this legislation fosters the trust necessary for all residents to report crimes and access essential services without fear. This measure enhances public safety by ensuring that all community members feel safe engaging with local government, which strengthens the overall well-being of the entire Village. Upholding these local values aligns with our commitment to inclusivity and the protection of our most vulnerable neighbors from unnecessary federal overreach. Ultimately, the Act provides a clear framework that ensures constitutional civil rights protections for all New Yorkers, regardless of their immigration status.

**B. New York Health Act (S.3425/A.1466).** The Legislature continues to consider the New York Health Act (NYHA) which would create a state-sponsored single-payer health program called New York Health that would provide coverage to all residents of the state including all benefits covered by Medicare, Medicaid, Child Health Plus, and those mandated under the Affordable Care Act. According to a study by the Rand Corporation, New York could expand coverage without substantial increases in overall health care spending. Although the legislature has deliberated versions of this bill for several years, this year the bill faces renewed interest because of changes to the Affordable Care Act subsidies and Medicaid brought about by federal legislation enacted in 2025.

**C. Accelerate Solar for Affordable Power (ASAP) Act (S.6570A/A.8758AA).** This legislation would raise New York's distributed solar target from 10 gigawatts (GW) to 20 GW by 2035 and implement common-sense reforms to lower costs and streamline deployment. It also advances critical interconnection reforms that will reduce costs, shorten project timelines, and allow for proactive grid investments to accommodate more solar capacity efficiently. The ASAP Act also supports clean energy job growth and helps lower electricity costs for consumers by reducing reliance on fossil fuels.

**D. Zero Emission Transportation (A1331/S1456).** Legislation currently being considered in Albany, would require certain watercraft, aircrafts, and trains to use clean energy, including ensuring such vehicles are zero-emissions. It would also require the use of zero-emission passenger trains along the Metro-North and Long Island Railroads in New York, and zero-emission work trains within the New York City subway system by 2035. It would also require NYSERDA to study zero-emission commercial vehicles, the use of renewable energy in publicly funded airports, and the use of sustainable aviation fuel.

This would have a beneficial impact on both transportation and environmental quality. As a Metron-North host community, Croton-on-Hudson supports this legislation and urges its enactment.

## PROPOSED HOME RULE LEGISLATION

*Prior authorization by state law is required for a wide range of municipal government actions. Croton has made these “Home Rule” requests periodically and is grateful our legislative delegation has championed them for us including most recently residential parking programs, red light cameras and reforming residency requirements for certain department heads. We request the introduction of the following bills:*

**A. Home Rule Legislation for Consideration of Speed Cameras.** Speeding in the Village has been identified as one of our most significant public safety problems. Automated speed enforcement consistently reduces vehicle speeds and collisions, particularly in high-risk areas like school zones and work sites. By providing a continuous deterrent without requiring constant police presence, these systems enhance pedestrian safety and reallocate law enforcement resources to other community needs. Therefore, Croton-on-Hudson requests the authority to establish speed camera zones in the vicinity of the Elementary, Middle and High Schools.

**B. Permanent Real Property Tax Exemptions for ADU’s Occupied by Senior Citizens and Individuals with Disabilities.** In light of the increasing need for diverse and affordable housing options for our most vulnerable residents, the Village should be empowered to adopt a tax exemption for Accessory Dwelling Units (ADUs) modeled after Cortlandt’s Chapter 275, Article V. This assessment relief would allow homeowners to create accessible housing for seniors and residents with disabilities without increasing their property tax assessment. Such a measure supports aging in place and expands local housing options while preserving our neighborhood character and demonstrating a commitment to economic diversity.

## LOCAL PROJECTS REQUIRING STATE SUPPORT

In the year ahead, as Croton works to advance its economic development, sustainability and public safety objectives, it is seeking the assistance of the Village’s state delegation on a number of key priorities. We are extraordinarily grateful to Senator Pete Harckham and Assemblywoman Dana Levenberg for their previous work in securing state funding to aid our municipality and deeply appreciate their efforts in assisting Croton on these pending priorities which currently or later in the year will include:

**A. New York Forward.** Governor Hochul created the NY Forward program to invigorate downtowns in New York’s smaller communities such as Villages like Croton. Croton’s designation as a “Pro-Housing Community” meant that it was eligible to apply for NY

Forward in 2024. The Village submitted “Croton-on-the-Move” as its NY Forward - Round 3 application. It contained a number of transformative projects designed to bring about greater transportation safety in our business districts as well as help develop future housing opportunities. While the Village was disappointed that its application was not funded in this round, we learned much about the process during this experience and are determined to work with the Mid-Hudson Regional Economic Council to bolster our application, including adding both more private sector development and housing opportunities, for the next round and will seek the assistance of our state delegation in getting it over the finish line on the second try.

**B. Cleveland Drive Sidewalks for Safety.** To improve pedestrian safety, particularly for young people walking to school or visiting the Croton Free Library, the Village of Croton-on-Hudson is looking to construct new sidewalks along Cleveland Drive, extending from the five way intersection at Old Post Road South to the intersection of Cleveland Drive and Jacoby Street. Funding for this effort in the amount of \$2,760,775 has been sought from the state Transportation Alternative Program (TAP).

**C. Croton All-Electric Microtransit.** Croton has a pending application with the NY State Department of Transportation (NYSDOT) for operation of an all-electric microtransit system. The Village has partnered directly with a turnkey service provider, Circuit, to handle day-to-day operations of the system with control and oversight from the Village. The program would feature on-demand on-service and accessibility. Implementation would lead to reduced carbon emissions, improved mobility and access, economic empowerment and reduced parking congestion. Requested Total Funding over 5 Years is \$3,277,120, including Operating Expenses of \$2,937,480 and capital expenses of \$339,640.

**D. Gouveia Park.** A stunning 15-acre public park with lush greenspace and scenic views of the Hudson River, Gouveia Park has for years remained deprived of the necessary rehabilitation to ensure its future accessibility for all members of the public. The estate of Laurel Gouveia generously donated the property along with a \$1.0 million endowment, which will cover property improvements such as the sewer connection, lighting, drainage, and paving of access roads. The Village is seeking \$750,000 in state funding to facilitate improvements to the main house building located on the property, which will be used to house Croton’s Recreation Department and the Recreation, Event, Arts and Learning (REAL) Space.

**E. Harmon Fire House New Roof.** The Harmon Fire House, a building central to the Village’s volunteer fire operations and Croton Emergency Medical Services, currently operates with a roof that has neared its intended operable lifespan. The building houses a total of two of the Village’s Fire Companies and the entirety of the Croton’s EMS Department. The village is currently seeking to secure \$500,000 in state funding to replace the roof of this facility as well as to repair ceiling tiles damaged by past leaks.

**F. Local Waterfront Revitalization Program (LWRP) Implementation.** The Village of Croton-on-Hudson seeks continued state support and grant funding to implement the specific projects and policies outlined in its recently updated Local Waterfront Revitalization Program (LWRP). As a coastal community with extensive Hudson River and Croton River shorelines, the Village relies on this partnership to advance critical goals including expanded public waterfront access, the protection of sensitive ecological habitats, and the mitigation of localized flooding. State assistance is essential for the design and construction of resilient infrastructure that can withstand increasing storm surges while simultaneously fostering sustainable economic development along the waterfront. By prioritizing these LWRP initiatives, the State will help ensure that Croton's unique coastal resources remain a vibrant, accessible, and protected asset for both residents and visitors for generations to come.

**G. Collaboration with MTA.** There are a number of issues the Village would like to discuss with the Metropolitan Transportation Authority including operations, fire and EMS presence, real estate issues, possible extension of the bike path beyond the 9/11 Memorial and important community environmental concerns. Croton has communicated with the MTA in writing on a number of these and will seek the assistance of its Assembly and Senate members in convening a meeting of high-level Metro-North officials to meet with Croton to focus on Village-Railroad collaboration.

## **LOCAL PROJECTS REQUIRING FEDERAL SUPPORT**

Direct federal funding to Croton can be made available in a number of ways, including through Community Project Funding (CPF), and through various other congressional appropriation and authorization measures. After a 10-year suspension, Congress resumed the practice in 2021 of including funding for community projects in its annual appropriations bills. Through the leadership of Rep. Mondaire Jones in 2022, Croton received \$1.5 million for reconstruction of the Half Moon Bay Bridge under the CPF category of funding. The CPF process for this year is just getting underway now. The Village has submitted a project focused on the relining of the water main on Harrison Street and a new water main on Sunset Trail to Senator Kirsten Gillibrand and a project for replacement of our Police Department radios to Rep. Mike Lawler. We appreciate the opportunity to work with them in these areas.

## **NEXT STEPS**

The Village of Croton-on-Hudson is grateful for the opportunity to present these legislative, program and project priorities and thank you for your time in reviewing them. We look forward to working with you to achieve progress on all of these areas in the year ahead. Please contact Village Manager Bryan Healy at [bhealy@crotononhudson-ny.gov](mailto:bhealy@crotononhudson-ny.gov) or 914-271-4848 with any questions or suggestions.

**Tyrae Woodson-Samuels**

Legislator, 13th District

Chair, Committee on Budget &amp; Appropriations

**Committee Assignments:**

Infrastructure &amp; Housing

Public Safety &amp; Veterans

Intergovernmental Affairs

Small Business

**MEMORANDUM OF LEGISLATION**

**DATE:** March 31, 2026

**TITLE:** Property Record Notification & Deed Theft Prevention Law

**SPONSOR:** Legislator Tyrae Woodson-Samuels

**PURPOSE OR GENERAL IDEA OF BILL:** To protect homeowners—particularly seniors and vulnerable residents—from deed theft, fraudulent transfers, and unauthorized encumbrances by establishing a County-operated notification system, in coordination with the Westchester County Clerk, that alerts registered individuals when documents are recorded against their property.

**JUSTIFICATION:** Deed theft and real estate fraud are increasing across New York State, with seniors and long-time homeowners disproportionately targeted.

Criminal actors often:

- File fraudulent deeds or transfers
- Record unauthorized liens
- Exploit delays in homeowner awareness

The **Westchester County Clerk's Office** is the official custodian of recorded property documents, making it the **central and most appropriate partner** in developing a notification system tied directly to real-time recording activity.

This legislation:

- Leverages the Clerk's existing authority and systems
- Provides homeowners with immediate awareness of filings
- Creates a critical early-warning mechanism to combat fraud

New York City has successfully implemented a similar model through its ACRIS system.

**Tyrae Woodson-Samuels**  
Legislator, 13th District  
Chair, Committee on Budget & Appropriations



**Committee Assignments:**  
Infrastructure & Housing  
Public Safety & Veterans  
Intergovernmental Affairs  
Small Business

### SUMMARY OF PROVISIONS:

This Local Law establishes a **Property Record Notification Program**, developed and administered in partnership with the **Westchester County Clerk's Office**, with the following provisions:

#### **1. Establishment of Notification System (County Clerk Collaboration)**

- The County, **in coordination with the Westchester County Clerk**, shall create and maintain a **free electronic notification system**
- The system shall be integrated, where feasible, with the Clerk's existing recording and indexing systems

#### **2. Real-Time Document Alerts**

- The system shall notify registrants when documents are recorded affecting a property, including:
  - Deeds
  - Mortgages
  - Liens
  - Judgments
  - Any recorded instrument affecting ownership interest

#### **3. Eligible Registrants**

The following individuals/entities may register:

- Property owners
- Authorized agents (including family members or caregivers)
- Attorneys representing the owner

## Tyrae Woodson-Samuels

Legislator, 13th District

Chair, Committee on Budget & Appropriations



### Committee Assignments:

Infrastructure & Housing  
Public Safety & Veterans  
Intergovernmental Affairs  
Small Business

- Lienholders
- Executors or administrators of estates

#### 4. Notification Delivery

- Notifications shall be delivered via:
  - Email
  - Optional SMS/text alerts (subject to system capability)
- Alerts shall be triggered upon **recording and indexing** by the County Clerk

#### 5. Registration Process

- Registrants may enroll using:
  - Property address
  - Tax parcel identifier (Section/Block/Lot or equivalent)
- The County Clerk's Office shall assist in ensuring:
  - Accurate property identification
  - Seamless linkage to recorded documents

#### 6. Public Education & Outreach (Joint Effort)

- The County, **in partnership with the County Clerk**, shall conduct a public awareness campaign, including:
  - Targeted outreach to seniors (Dept. of Seniors)
  - Informational materials distributed through Clerk's Office transactions
  - Website, social media promotion and e-blasts
  - Coordination with municipalities and community organizations

**Tyrae Woodson-Samuels**  
Legislator, 13th District  
Chair, Committee on Budget & Appropriations



**Committee Assignments:**  
Infrastructure & Housing  
Public Safety & Veterans  
Intergovernmental Affairs  
Small Business

## 7. Disclaimer and Limitation of Liability

- The system shall include appropriate disclaimers that:
  - Notifications are **supplemental and informational only**
  - Failure to receive notice does not affect the validity of any recorded document
  - The County and County Clerk assume no liability for missed or delayed notifications

### FISCAL IMPACT:

- **Initial implementation cost for system development or integration with the County Clerk's systems**
  - **Potential use of:**
    - **Existing Clerk technology infrastructure**
    - **State or federal grant funding**
- **Minimal ongoing operational costs**

### **Long-term savings:**

- **Reduced fraud-related litigation**
- **Lower enforcement and investigative costs**

**Tyrae Woodson-Samuels**  
 Legislator, 13th District  
 Chair, Committee on Budget & Appropriations



**Committee Assignments:**  
 Infrastructure & Housing  
 Public Safety & Veterans  
 Intergovernmental Affairs  
 Small Business

## MEMORANDUM OF LEGISLATION

**DATE:** March 31, 2026

**TITLE:** Public Safety Nuisance & Illegal Housing Enforcement Law

**SPONSOR:** Legislator Tyrae Woodson-Samuels

**PURPOSE OR GENERAL IDEA OF BILL:** To protect residents and neighborhoods by strengthening enforcement tools against illegal housing, chronic nuisance properties, and repeat code violators that undermine public safety and quality of life. Targeting of Zombie Homes/Distressed properties.

**JUSTIFICATION:** Illegal and unsafe housing conditions:

- Endanger tenants
- Strain municipal services
- Destabilize neighborhoods

This legislation provides a **consistent county-level enforcement mechanism** to support municipalities and deter repeat offenders.

### SUMMARY OF PROVISIONS:

#### **Defines “nuisance property” as any property with:**

- Repeated housing, fire, or health code violations
- Documented illegal occupancy (including illegal boarding houses)

#### **Establishes a graduated enforcement framework, including:**

- Civil penalties (increasing with repeat violations)
- Administrative hearings
- Authority to place **liens on properties** for unpaid fines

**Tyrae Woodson-Samuels**  
Legislator, 13th District  
Chair, Committee on Budget & Appropriations



**Committee Assignments:**  
Infrastructure & Housing  
Public Safety & Veterans  
Intergovernmental Affairs  
Small Business

**Authorizes County coordination with:**

- Municipal code enforcement
- Department of Health
- Law enforcement agencies

**Allows for designation of “chronic violator” status after a defined threshold (e.g., 3–5 violations within 12 months)**

Provides authority for:

- Mandatory corrective action plans
- Temporary closure in extreme cases (must be carefully structured legally)

**FISCAL IMPACT:**

**Potential positive revenue from fines and penalties**

Reduced long-term costs associated with:

- Emergency response
- Health hazards
- Property deterioration

**Judah Holstein**  
Legislator, 10<sup>th</sup> District



## Legislative Memorandum

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**SPONSOR:** Legislator Holstein  
**TITLE:** Safe Access to Religious Institutions Act  
**DATE:** May 4, 2026

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### Purpose

To ensure safe, unobstructed access to religious institutions by establishing reasonable time, place, and manner restrictions on protest activity near such locations, while fully preserving First Amendment rights.

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### Summary of Provisions

This legislation establishes narrowly tailored buffer zones around religious institutions during designated hours of operation to prevent obstruction, harassment, and interference with ingress and egress.

### Key Provisions

#### 1. Definitions

- **Religious Institution:** Any house of worship or facility primarily used for religious services, including but not limited to synagogues, churches, mosques, temples, and associated schools during hours of religious use.
- **Buffer Zone:** A defined area extending up to 25 feet from any entrance, exit, driveway, or crosswalk providing access to a religious institution.
- **Obstruction:** Any act that blocks, impedes, or interferes with access to or from the institution, including standing, sitting, congregating, or placing objects in a manner that restricts movement.

#### 2. Prohibited Conduct Within Buffer Zone

Within the designated buffer zone, no person shall knowingly:

- Block or impede access to entrances, exits, sidewalks, or crosswalks leading to the institution
- Prevent or attempt to prevent individuals from entering or leaving
- Physically obstruct pedestrian or vehicular traffic
- Engage in conduct that creates a reasonable fear of harm or intimidation directed at individuals accessing the institution

### 3. Permitted Activity

- Peaceful protest, picketing, or demonstration is permitted **outside** the buffer zone
- Individuals may assemble across the street or in nearby public spaces so long as access is not obstructed
- Normal pedestrian movement through public sidewalks remains unrestricted, provided it does not interfere with access

### 4. Time, Place, and Manner Limitation

- The buffer zone applies only during:
  - Scheduled religious services
  - Religious school hours
  - Official events hosted by the institution
- Restrictions are **content-neutral** and apply regardless of viewpoint

### 5. Enforcement

- Violations shall be subject to civil penalties and/or misdemeanor charges
- Law enforcement may issue warnings and require dispersal prior to enforcement, except in cases of immediate obstruction
- Repeat violations may result in enhanced penalties

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## Justification

Recent incidents have demonstrated an increase in protests directly outside religious institutions, in some cases obstructing access and creating safety concerns. This legislation ensures that individuals can freely exercise their right to worship without interference, while preserving the constitutional right to protest in nearby public spaces.

The framework is consistent with established First Amendment jurisprudence permitting content-neutral time, place, and manner restrictions, including buffer zones upheld in cases involving access to healthcare facilities.



## Memorandum

**Jewel Williams Johnson**  
Legislator, District 8  
Chair, Committee on Health  
Michaelian Office Building

To: Sunday Vanderburgh

From: Jewel Williams Johnson

Date: May 18, 2026

Re.: Proposal to Prohibit the Sale and Distribution of Kratom in Westchester County

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**TITLE:** Prohibit the Sale and Distribution of Kratom in Westchester County

**SPONSOR:** Legislator Jewel Williams Johnson

**PURPOSE OR GENERAL**

**IDEA OF BILL:** To prohibit the sale, distribution, possession and storage with intent to sell, of kratom products within Westchester County.

**INTENT:**

To create a local law banning kratom (*Mitragyna speciosa*) and its derivatives in Westchester County, and to establish civil penalties for any individual or establishment found to be selling, distributing, or possessing kratom with intent to sell. This law is intended to protect public health and safety by addressing the risks associated with this unregulated substance.

**JUSTIFICATION:**

Kratom is a plant-derived substance that produces opioid-like effects and is widely available in smoke shops, convenience stores, and online marketplaces. New York State passed legislation regulating the sale and marketing of kratom nevertheless, kratom is not approved for any medical use by the U.S. Food and Drug Administration and remains largely unregulated. Public health concerns associated with kratom include dependency, withdrawal symptoms, and adverse health effects such as seizures and respiratory depression. Inconsistent product potency and contamination risks further endanger consumers. Additionally, there is widespread availability of kratom, particularly in establishments accessible to minors.

In 2016, Suffolk County enacted legislation and enacted legislation that went further in 2026, prohibiting the sale of kratom, recognizing the substance as a public health concern and taking proactive measures to limit its availability within the county. Recently, Nassau County enacted

legislation prohibiting the sale of kratom, recognizing the substance as a potential threat to public health. Kratom is also banned in 32 other states and counties in the United States which include, but are not limited to Alabama, Arkansas, Connecticut, Indian, Louisiana, Vermont, Wisconsin, San Diego, Oceanside, Newport Beach, and San Mateo Counties. It is also banned in California as of April 2026. Westchester County seeks to take similar action to safeguard its residents.

Although bans on the sale of certain products may exist, gaps in enforcement can arise when establishments claim that such products are merely being stored and not offered for sale. The presence of kratom products on the premises of a retail establishment creates a reasonable inference that such products are intended for distribution or sale. This proposed law addresses that loophole by establishing a rebuttable presumption that kratom products found within a retail establishment are being offered for sale.

This law is intended to eliminate the availability of kratom within the County and provide clear enforcement mechanisms to prevent its sale, distribution, and storage.

**PRESENT LAW:**

There is currently no local law in Westchester County prohibiting the sale or distribution of kratom.

**FISCAL IMPACT:** TBD

**cc:** James Silverberg, Legislative Director  
Dylan Tragni, Chief of Staff



## Memorandum

**Jewel Williams Johnson**

Legislator, District 8

Chair, Committee on Health

Michaelian Office Building

To: Sunday Vanderburgh

From: Jewel Williams Johnson

Date: May 18, 2026

Re.: Proposal to Establish a Westchester County Tobacco and Vapor Product Permit Program

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**TITLE:** A LOCAL LAW adding a new Article to Chapter 535 of the Laws of Westchester County requiring a permit to sell, offer for sale, or commercially distribute tobacco products, vapor products, electronic cigarettes, and related nicotine products in Westchester County.

**SPONSOR:** Legislator Jewel Williams Johnson

### PURPOSE OR GENERAL

**IDEA OF BILL:** A LOCAL LAW adding a new Article to Chapter 535 of the Laws of Westchester County to require a County permit for the sale, offer for sale, or commercial distribution of tobacco products, vapor products, electronic cigarettes, and related nicotine products in Westchester County.

### INTENT:

The purpose of this proposed Local Law is to establish a Westchester County permitting system for businesses that sell, offer for sale, permit the sale of, or commercially distribute tobacco products, vapor products, electronic cigarettes, liquid nicotine, herbal cigarettes, shisha, smoking paraphernalia, and related nicotine-delivery products.

This law would strengthen local enforcement, improve retailer accountability, protect youth from unlawful tobacco and vaping sales, and close enforcement gaps that allow retailers to evade the State's flavored vapor product ban by claiming that flavored products stored on-site are only intended for online or out-of-state sales.

New York State already prohibits the retail sale of flavored vapor products intended or reasonably expected to be used with or for the consumption of nicotine, and defines "flavored"

broadly to include distinguishable tastes or aromas other than tobacco, including fruit, candy, mint, menthol, dessert, and similar concept flavors.

**JUSTIFICATION:**

This proposal draws from three New York county models:

Dutchess County: Uses a “Permit to Sell or Distribute Tobacco & Vaping Products” framework; requires a permit for each location and/or event where sales or distribution occurs; includes signage, inspections, and permit suspension.

\*Strongest Feature to Borrow/Recommendation: The Dutchess “sell or distribute” model so Westchester can regulate not only traditional retail sales, but also commercial distribution, events, and promotional activity.

Ulster County: Requires a tobacco retail license for each specific address; makes licenses nontransferable; requires annual renewal; prohibits new licenses within 1,000 feet of a K-12 school, with narrow grandfathering.

\*Strongest Feature to Borrow/Recommendation: Adoption of the 1,000-foot school buffer for new permits and require a separate, nontransferable permit for every location.

Cayuga County: Requires a County tobacco retail license; prohibits licenses for non-fixed locations; requires unannounced compliance inspections; includes meaningful penalties, suspension, revocation, and possible closure for unlicensed sales.

\*Strongest Feature to Borrow/Recommendation: Include inspection consent, meaningful penalties, suspension/revocation authority, and closure authority for selling without a valid permit or while suspended.

Local tobacco retailer licensing is recognized as a best-practice enforcement tool because it allows local governments to create stricter and more comprehensive rules than state or federal law, including enforcement mechanisms, location limits, and fees sufficient to cover program administration.

Despite the State’s flavored vapor product ban, local enforcement remains difficult when businesses possess flavored products and claim that the inventory is not for local sale. Your existing Westchester draft addresses this by creating a rebuttable presumption that possession of four or more flavored vapor products on the premises of a tobacco business or retail establishment indicates intent to sell, while allowing a dealer to rebut that presumption by proving the products are solely for lawful online or out-of-state sales.

A County permit system would strengthen that approach by giving the Department of Health a direct local enforcement mechanism: permits could be denied, suspended, revoked, or conditioned based on violations of state, federal, or local tobacco and vaping laws.

Youth access remains a public health concern. CDC data from the 2024 National Youth Tobacco Survey reported that 1.63 million middle and high school students currently used e-cigarettes, and among youth current e-cigarette users, 87.6% used flavored e-cigarettes.

## COMMITTEE REFERRAL:

Committee on Health; Committee on Legislation; Committee on Budget & Appropriations, as needed for fee structure and implementation costs.

## SUMMARY OF PROPOSED LOCAL LAW

### 1. Permit Required

No person, business, corporation, partnership, association, or other entity shall sell, offer for sale, permit the sale of, or commercially distribute any tobacco product, vapor product, electronic cigarette, liquid nicotine, herbal cigarette, shisha, smoking paraphernalia, or related nicotine-delivery product in Westchester County without a valid permit issued by the Westchester County Department of Health.

A separate permit shall be required for each location, address, vending machine, temporary event, or other site at which such products are sold, offered for sale, or commercially distributed.

Wholesale dealers who sell exclusively to licensed retail dealers for resale and do not sell, offer for sale, or distribute directly to consumers should be exempt from the retail permit requirement, consistent with the Cayuga and Ulster models, but must remain subject to applicable state tax, licensing, and recordkeeping laws.

### 2. Covered Products

The proposed law should cover:

Tobacco products; cigarettes; cigars; pipe tobacco; chewing tobacco; snuff; snus; bidis; shisha; herbal cigarettes; rolling papers; smoking paraphernalia; electronic cigarettes; e-liquids; liquid nicotine; vapor products; nicotine pouches; electronic cigarette cartridges; disposable vapes; refill cartridges; and any other tobacco, nicotine, or vapor product regulated under New York State Public Health Law Article 13-F or New York State Tax Law Articles 20 and 28-C.

New York State already requires retail dealers selling cigarettes or tobacco products to publicly display a state certificate of registration for each place of business, and separately requires vapor product dealers to register before selling vapor products.

### 3. Application Requirements

Each applicant should be required to submit:

The legal name of the owner and operator; DBA name; physical address; mailing address; contact information; proof of New York State tobacco retail dealer registration and/or vapor products dealer certificate; certificate of authority to collect sales tax; workers' compensation and disability coverage documentation where applicable; identification of all owners, officers, managers, and responsible parties; history of prior tobacco, vapor, tax, or public health

violations; and a signed acknowledgment of all federal, state, and local tobacco and vaping laws.

The application should also require a disclosure of whether the business maintains any flavored vapor product inventory on-site and, if so, whether the applicant claims such inventory is solely for lawful online or out-of-state sales.

#### 4. Permit Duration and Renewal

Recommended Westchester model: Annual permit, expiring December 31 of each year.

Ulster's annual model is stronger for enforcement than Dutchess County's two-year permit because it gives the County a regular accountability checkpoint. Dutchess requires renewal applications at least 30 days prior to expiration, and Ulster also requires renewal applications at least 30 days prior to expiration. ([dutchessny.gov][7])

#### 5. Permit Fee

The permit fee should be set by the Board of Legislators or Board of Health fee schedule in an amount sufficient to defray the cost of administration, inspections, compliance checks, enforcement, hearings, and public education.

A defensible starting point would be \$300 per location per year, because New York State already charges \$300 for retail tobacco registrations and \$300 for vapor products dealer registration per retail or online location.

The County may also include: replacement permit fee; late renewal fee; returned check fee; event permit fee; and re-inspection fee after a failed inspection.

#### 6. Location Restrictions

No new permit should be issued to any tobacco or vapor product retailer located within 1,000 feet of the nearest point of the property line of any public or private K-12 school or BOCES facility.

Existing retailers within 1,000 feet of a school may be grandfathered only so long as they maintain continuous permit compliance. The permit should not transfer to a new owner, new entity, or new location. Ulster uses a 1,000-foot school buffer for new licenses, while Cayuga uses a 100-foot buffer; the Ulster standard is stronger and more appropriate for Westchester's youth-protection goals. ([eCode360][8])

#### 7. Non-transferability

Each permit shall be valid only for the permittee, the specific location, and the specific business entity identified in the permit application.

A permit shall not be sold, assigned, transferred, inherited, pledged, or moved to another location. A change in ownership, legal entity, corporate control, or location shall require a new permit application.

This mirrors the Ulster and Dutchess approaches, which make permits/licenses specific to the applicant and location and nontransferable. ([eCode360][8])

## 8. Display Requirement

The permit must be displayed prominently at the location where tobacco or vapor products are sold or distributed so that it is readily visible to customers and inspectors.

Ulster, Cayuga, and Dutchess all require visible display of the local license or permit.

## 9. Required Signage

Every permit holder shall post all signage required by New York State law, including age-restriction signage, and any additional public health warning signage produced or approved by the Westchester County Department of Health.

Dutchess requires local public health signage warning of the harms of tobacco use in addition to state ATUPA requirements.

## 10. Inspections and Compliance Checks

As a condition of receiving and maintaining a permit, each permit holder must consent to unannounced inspections by the Westchester County Department of Health or its authorized designee.

Inspections may include review of: products offered for sale; products stored on premises; flavored vapor product inventory; invoices; receipts; shipping records; online sales records; out-of-state sales records; age-verification procedures; signage; licenses; permits; and compliance with federal, state, and local law.

Cayuga requires retailers to consent to unannounced compliance inspections of the retail establishment and the tobacco products therein, and Dutchess authorizes regular inspections to determine compliance with State Public Health Law Article 13-F and local permit requirements.

## 11. Flavored Vapor Product Inventory and Rebuttable Presumption

The Local Law should incorporate and strengthen your existing flavored-vape presumption language:

There shall be a rebuttable presumption that a vapor products dealer in possession of four or more flavored vapor products in or on the premises of a tobacco business, retail establishment, storage area, or permitted location possesses such products with intent to sell, offer for sale, or transfer such products in violation of New York State Public Health Law § 1399-mm-1.

A permittee may rebut this presumption only by producing competent, contemporaneous business records showing by a preponderance of the evidence that the products are for lawful sale solely to consumers online and residing in states or jurisdictions where such sale is lawful, and not for sale, offer for sale, or transfer in New York State or Westchester County.

Required proof should include invoices, inventory logs, online order records, age-verification records, shipping records, destination addresses, payment records, and proof that the products were not displayed, advertised, offered, sampled, promoted, or otherwise made available to consumers in Westchester County.

## 12. Grounds for Denial, Suspension, or Revocation

The Department of Health may deny, suspend, revoke, or refuse to renew a permit if:

The application is incomplete, false, inaccurate, or misleading; the applicant lacks required New York State tax or vapor product registrations; the applicant owes outstanding County fines or penalties; the applicant has violated federal, state, or local tobacco, vapor, tax, public health, or consumer protection laws; the applicant previously had a tobacco or vapor permit revoked; the location is prohibited under the school-buffer provision; the applicant refuses inspection; the applicant fails to produce required records; or the applicant stores flavored vapor products without adequate proof of lawful non-Westchester sales.

Ulster expressly allows denial for incomplete or misleading applications, lack of state registration, prior revocation, violations involving contraband tobacco, tax compliance, display, or sale of tobacco products, unpaid County charges, or other written criteria tied to the purposes of the law. ([eCode360][8])

## 13. Penalties

Recommended Westchester penalty structure:

For a first violation: civil penalty of \$1,500 and/or suspension up to three months.

For a second violation within a three-year period: civil penalty of \$2,500 and/or suspension up to six months.

For a third violation within a three-year period: revocation.

For sale without a permit, sale while suspended, or sale after revocation: closure of the retail establishment for up to 120 days, after notice and opportunity to be heard.

Cayuga uses civil penalties of \$1,500 for a first violation and \$2,500 for subsequent violations, with suspension up to three months for a first violation, up to six months for a second violation,

revocation for a third violation, and possible closure up to 120 days for sales without a valid license or while suspended or revoked.

For an underage sale, the law may also require a temporary suspension and public notice at the entrance of the business during the suspension period, modeled on Dutchess County's requirement that a sign be placed at the business entrance after an administrative finding of an underage sale.

#### 14. Hearings and Due Process

No permit shall be suspended, revoked, or finally denied without notice and an opportunity to be heard before the Westchester County Board of Health, Commissioner of Health, or designated administrative hearing officer, as determined by Law Department review.

Emergency suspension authority may be included where continued operation presents an imminent threat to public health, subject to prompt post-suspension hearing procedures.

#### 15. Enforcement Agency

The Westchester County Department of Health should serve as the primary permitting and enforcement agency, with authority to coordinate with the Department of Consumer Protection, County Attorney, local police departments, school districts, municipal code officials, and New York State enforcement agencies as appropriate.

#### 16. Implementation Timeline

The law should take effect 90 days after filing with the Secretary of State.

Existing retailers should be required to apply for a Westchester County permit within 90 days of the effective date. New retailers should be prohibited from selling or distributing covered products unless and until a permit is issued.

The Department of Health should be authorized to develop forms, regulations, public education materials, inspection protocols, and written criteria for permit denial, suspension, revocation, and renewal.

#### 17. Fiscal Impact

TBD. However, it is recommended the proposed permit fee should offset the costs of implementation, administration, inspections, compliance checks, enforcement, hearings, and educational materials. Any net revenue should be dedicated to tobacco and vaping enforcement, youth prevention, cessation programming, and public health education.

#### 18. SEQRA

This proposed legislation should be referred to the Department of Planning for SEQRA review. It is anticipated that the legislation may be classified as not constituting an “action” or as otherwise exempt/Type II, but that determination should be made by the appropriate County department.

**CORE POLICY MESSAGE:**

This legislation is not about creating another layer of bureaucracy for responsible businesses. It is about accountability. It says that if a business wants to profit from the sale or distribution of tobacco and vaping products in Westchester County, then that business must be known to the County, permitted by the County, inspected by the County, and answerable to the County when it violates the law.

Westchester should not have to chase loopholes after harm has already reached our young people. A permit system gives the County a clear, enforceable, local tool to prevent illegal sales, address flavored-vape evasion, and protect the health and well-being of our residents—especially our children.

**PRESENT LAW:**

There is currently no local law in Westchester County prohibiting the sale or distribution of kratom.

cc: James Silverberg, Legislative Director  
Dylan Tragni, Chief of Staff

TO: Sunday Vanderberg  
FROM: Hon. Anant Nambiar, Legislator  
District 7  
DATE: May 27, 2026  
RE: Memorandum of Legislation - Leveraging County Property to Improve Cell Phone Coverage

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**Title:** Leveraging County Property to Improve Cell Phone Coverage

**Sponsor:** Hon. Anant Nambiar

**Purpose or General Idea of Bill:**

- Currently, across many areas of Westchester, cell phone coverage is lower than acceptable levels (75% 5G coverage as measured by the FCC 5G-NR national broadband map, link below)
  - [https://broadbandmap.fcc.gov/location-summary/mobile?version=dec2024&lon=-73.782542&lat=40.944414&addr\\_full=40.944414%2C+-73.782542&zoom=13.12&vlon=-73.775016&vlat=40.952575&env=0&tech=tech5g\\_spd2](https://broadbandmap.fcc.gov/location-summary/mobile?version=dec2024&lon=-73.782542&lat=40.944414&addr_full=40.944414%2C+-73.782542&zoom=13.12&vlon=-73.775016&vlat=40.952575&env=0&tech=tech5g_spd2)
- In those areas, Westchester residents and visitors are in danger of not being able to get proper cell reception in case of emergencies or other challenging situations, unless they have a land line available
- Due to local municipal regulations, deployment of cell reception infrastructure has been slow and insufficient
- These “cell reception deserts” are a safety hazard that needs to be addressed, especially as land line usage is rapidly shrinking. Imagine a situation that a resident could not call 911 due to lack of cell coverage. That is an easily avoidable situation that the County can take a lead on addressing

**Intent:**

- The proposal is for the County to work with cell tower infrastructure companies to utilize the latest technology on County owned property to improve cell coverage. This will

avoid potential resistance from local municipalities to deliver immediate improvements while also offering municipalities (and possibly NY State) a chance to partner with cell tower providers and the County to improve their residents' cell reception

**Justification:**

- Westchester County residents are currently at safety risk due to inadequate cell phone coverage. While the various municipalities have been slow or resistant to implement technical options to improve coverage, the County can implement options to improve this issue.
- As examples, within District 7, the FCC map shows cell deserts around Playland and Weaver St in Larchmont, both County properties that could host small cell or other technologies to improve cell reception
- The County can also generate revenues by hosting the technology by renting space or property to 3<sup>rd</sup> party cell phone providers. This is already happening in other New York Counties.
  - Currently, Nassau, Suffolk and Schenectady Counties all use County property to host cell phone technology and generate revenues from 3<sup>rd</sup> party providers
- We have had preliminary conversations with representatives of cell tower and wireless networks to gauge interest, and the initial responses are positive
- Implementing this solution will also generate de novo revenues for the County as we can charge land use or rent for use of County property

**Present Law:** None

**Fiscal Impact:** To be determined

**WESTCHESTER COUNTY ANIMAL ABUSE REGISTRY MASTER LIST**

<u>LAST NAME</u>	<u>FIRST NAME</u>	<u>DOB</u>	<u>ADDRESS</u>	<u>ALIAS</u>	<u>PHOTO PROVIDED</u>	<u>RELEASE/CONVICTION DATE</u>	<u>FINAL REGISTRATION DATE</u>	<u>CASE #</u>	<u>EVENT #</u>	<u>CASE OPENED</u>	<u>CASE CLOSED</u>	<u>ADA ASSIGNED</u>	<u>Notes</u>
Diaz	Javier C	6/18/1975	15 Calvert St, Harrison, NY	N/A	YES	2/15/2023	2/15/2033	620-23	23069-23	YES	YES	LIEBOWITZ	RE-REGISTERED 03/2026
Burgos	Joshua	2/8/1990	OUT OF COUNTY	N/A	YES	10/17/2019	10/17/2029	2164-20	122581-20	YES	YES	MIRZA	REGISTERED 5/4/21
Thomassen	Alex	3/8/1994	OUT OF COUNTY	N/A	YES	12/20/2019	12/20/2029	1959-21	97071-21	YES	YES	UNKNOWN	REGISTERED 9/28/21
Cuevas	Alexander	12/4/1998	OUT OF COUNTY	N/A	YES	1/28/2019	1/28/2029	1120-19	41851-19	YES	YES	MARCUS	REGISTERED 1/7/22
DiGennaro	Michelle	8/23/1974	3825 Eleanor Dr, Mohegan Lake, NY	N/A	YES	11/21/2019	11/27/2029	2227-19	93840-19	YES	YES	LIEBOWITZ	RE-REGISTERED 4/18/25
Jenkins	Carletta	2/15/1979	147 Linden St, Yonkers	N/A	YES	9/5/2023	9/5/2033	110-24	6379-24	YES	YES	LIEBOWITZ	REGISTERED 4/14/25
Levy	Marissa	12/21/1980	177 Bonair Ave, New Rochelle, NY	N/A	YES	12/12/2024	12/12/2034	570-25	29006-25	YES	YES	LIEBOWITZ	REGISTERED 3/10/25
Skinner	Elton L.	1/21/1972	OUT OF COUNTY	N/A	YES	7/23/2019	8/6/2029	1869-19	76885-19	YES	YES	UNKNOWN	REGISTERED 8/6/20
Martin	Elizabeth A.	12/1/1974	REMOVED FROM ANIMAL REGISTRY	N/A	YES	8/20/2014	8/20/2024	2994-16	110169-16	YES	YES	LIEBOWITZ	REGISTERED 3/8/17
Charlemagne	Erby	2/3/1972	643 S. 7th Ave OR 15 South 10th Ave, MT VERNON	N/A	NO- RECENT ARREST PHOTO USED	2/8/2024	2/8/2034	294-24	16233-24	YES	YES	LIEBOWITZ	HAS NOT REGISTERED
McPherson	Anthoin	07/24/193	611 S 5TH AVE, MOUNT VERNON, NY, 10550	N/A	YES			02225-13	02225-13	YES	YES	UNKNOWN	REGISTERED 6/2026

# FISCAL IMPACT STATEMENT

<b>SUBJECT:</b> _____	<b>NO FISCAL IMPACT PROJECTED</b>	
<b>OPERATING BUDGET IMPACT</b>		
<b>SECTION A - FUND</b>		
GENERAL FUND	AIRPORT FUND	SPECIAL DISTRICTS FUND
<b>SECTION B - EXPENSES AND REVENUES</b>		
<b>Total Current Year Expense</b>	_____	
<b>Total Current Year Revenue</b>	_____	
<b>Source of Funds</b> (check one):	Current Appropriations	Transfer of Existing
	Additional Appropriations	Appropriations Other (explain)
<b>Identify Accounts:</b>	_____	
_____		
<b>Potential Related Operating Budget Expenses:</b>	Annual Amount	_____
<b>Describe:</b>	_____	
_____		
_____		
<b>Potential Related Operating Budget Revenues:</b>	Annual Amount	_____
<b>Describe:</b>	_____	
_____		
_____		
<b>Anticipated Savings to County and/or Impact on Department Operations:</b>		
<b>Current Year:</b>	_____	
_____		
<b>Next Four Years:</b>	_____	
_____		
_____		
_____		
<b>Prepared by:</b>	_____	<b>Approved by:</b> _____
<b>Title:</b>	_____	<b>Budget Director</b>
<b>Department:</b>	_____	<b>Date:</b> _____
<b>Date:</b>	_____	