



## Committee on Environment & Health

~AGENDA~

Monday, February 10, 2020

1:01 PM

Committee Chair: Nancy Barr

Committee Room, 148 Martine Avenue, 8th Floor, White Plains, NY 10601

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

### CALL TO ORDER

Meeting jointly with the Committees on Legislation, Planning, Economic Development & Energy, and Public Works & Transportation.

### MINUTES APPROVAL

### I. ITEMS FOR DISCUSSION

1. **(ID # 12376) Resolution – PH-Electric Vehicle Charging Stations:**

A RESOLUTION to set a Public Hearing on a "LOCAL LAW amending the Laws of Westchester County by adding a new Chapter 638 concerning the placement of electric vehicle charging stations at certain county parking facilities". [Public Hearing set for \_\_\_\_\_, 2020 at \_\_\_\_\_ .m.]. LOCAL LAW INTRO 2020-12377.

Guests: Ken Jenkins, Deputy County Executive, Peter McCartt, Director of Energy, Conservation and Sustainability, Stacey Dolgin-Kmetz, Chief Deputy County Attorney, Copernicus Crane, Assistant to the County Executive, Hugh Greechan, Commissioner of DPW&T, Bud Nicoletti, Deputy Commissioner of DPW&T

2. **(ID # 12377) Local Law – Electric Vehicle Charging Stations:**

A LOCAL LAW amending the Laws of Westchester County by adding a new Chapter 638 concerning the placement of electric vehicle charging stations at certain county parking facilities.

Guests: Ken Jenkins, Deputy County Executive, Peter McCartt, Director of Energy, Conservation and Sustainability, Stacey Dolgin-Kmetz, Chief Deputy County Attorney, Copernicus Crane, Assistant to the County Executive, Hugh Greechan, Commissioner of DPW&T, Bud Nicoletti, Deputy Commissioner of DPW&T

### II. OTHER BUSINESS

Unfinished Business and any other agenda items to come before the Committee.

### III. RECEIVE & FILE

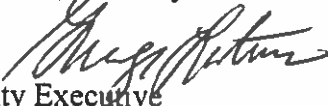
## ADJOURNMENT

## Memorandum

Office of the County Executive  
Michaelian Office Building

January 17, 2020

TO: Hon. Benjamin Boykin, Chair  
 Hon. Alfreda Williams, Vice Chair  
 Hon. MaryJane Shimsky, Majority Leader  
 Hon. Margaret Cunzio, Minority Leader

FROM: George Latimer   
 Westchester County Executive

RE: Message Requesting Immediate Consideration: **LOCAL LAW – Electric Vehicle Charging Stations.**

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This will confirm my request that the Board of Legislators allow submission of the referenced communication to be submitted to the Board of Legislators January 21, 2020 Agenda.

I respectfully request that your Honorable Board adopt the attached Local Law amending the Laws of Westchester County by adding a new Chapter 638 concerning the placement of electric vehicle charging stations at certain county parking facilities.

Therefore, since this communication is of the utmost importance, it is respectfully submitted that the County Board of Legislators accepts this submission for January 21, 2020 “blue sheet” calendar.

Thank you for your prompt attention to this matter.



George Latimer  
County Executive

January 17, 2020

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

Dear Honorable Members of the Board:

I respectfully request that your Honorable Board adopt the attached Local Law amending the Laws of Westchester County by adding a new Chapter 638 concerning the placement of electric vehicle charging stations at certain county parking facilities.

Electric vehicles emit approximately 75% less carbon dioxide (CO<sub>2</sub>) than average vehicles. Pure battery electric vehicles do not emit tailpipe pollutants such as benzene and nitrogen oxide, which negatively impact air quality and resident health. I believe that providing for infrastructure to promote and support electric vehicle use will lead to improvement of the County's air quality and reduce the County's production of greenhouse gases.

Electric vehicles require chargers or Electric Vehicle Supply Equipment (EVSEs). Building parking garages and open parking lots that include EVSEs incur minimal additional costs and promotes a healthier environment. The proposed legislation would require a certain number of charging stations to be installed in newly constructed or reconstructed parking garages and open parking lots owned by the County or receiving discretionary funding from the County pursuant to provisions to be included in certain County contracts. Specifically, parking garages and/or open parking lots that have a parking space capacity for 250 vehicles or fewer shall be equipped with level one charging stations in 10% of the total number of parking spaces and with level two charging stations also with a capacity for level three charging stations in 10% of the total number of parking spaces. Parking garages and/or open parking lots with a parking space capacity for more than 250 vehicles shall be equipped with 50 parking spaces capable of supporting 25 level one charging stations and 25 level two charging stations that also have the capacity for level three charging stations. Notably, under the proposed legislation, a 120 volt outlet within accessible range of a parking space also qualifies as a level one (1) charging station.

Additionally and as you know, this Honorable Board must comply with the requirements of the State Environmental Quality Review Act ("SEQRA"). Your Committee is advised that the Department of Planning has reviewed the applicable SEQRA regulations, and has concluded that this proposed Local Law constitutes a

Type II action which does not require further environmental review. Your Committee concurs with that conclusion.

- In light of the aforementioned, I respectfully urge that your Honorable Board adopt the attached Local Law limiting the number of years of service of the County Executive.

Sincerely,



George Latimer  
County Executive

GL/nn  
Enclosure

TO: HONORABLE BOARD OF LEGISLATORS  
COUNTY OF WESTCHESTER

Your Committee has reviewed “A LOCAL LAW amending the Laws of Westchester County by adding a new Chapter 638 concerning the placement of electric vehicle charging stations at certain county parking facilities.”

Your Committee is aware that electric vehicles emit approximately 75% less carbon dioxide (CO<sub>2</sub>) than average vehicles. Pure battery electric vehicles do not emit tailpipe pollutants such as benzene and nitrogen oxide, which negatively impact air quality and resident health. Providing for infrastructure to promote and support electric vehicle use will lead to improvement of the County’s air quality and reduce the County’s production of greenhouse gases.

Electric vehicles require chargers or Electric Vehicle Supply Equipment (EVSEs). Building parking garages and open parking lots that include EVSEs incur minimal additional costs and promotes a healthier environment. The proposed legislation would require a certain number of charging stations to be installed in newly constructed or reconstructed parking garages and open parking lots owned by the County or receiving discretionary funding from the County pursuant to provisions to be included in certain County contracts. Specifically, parking garages and/or open parking lots that have a parking space capacity for 250 vehicles or fewer shall be equipped with level one charging stations in 10% of the total number of parking spaces and with level two charging stations also with a capacity for level three charging stations in 10% of the total number of parking spaces. Parking garages and/or open parking lots with a parking space capacity for more than 250 vehicles shall be equipped with 50 parking spaces capable of supporting 25 level one charging stations and 25 level two charging stations

that also have the capacity for level three charging stations. Notably, under the proposed legislation, a 120 volt outlet within accessible range of a parking space also qualifies as a level one (1) charging station.

As you know, this Honorable Board must comply with the requirements of the State Environmental Quality Review Act ("SEQRA"). Your Committee is advised that the Department of Planning has reviewed the applicable SEQRA regulations, and has concluded that this proposed Local Law constitutes a Type II action which does not require further environmental review. Your Committee concurs with that conclusion.

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

Dated: \_\_\_\_\_, 2020  
White Plains, New York

COMMITTEE ON

SDK-1/16/2020

# FISCAL IMPACT STATEMENT

1.1.a

SUBJECT: Loc Law 638 EVSE's at Cty Parking Fac  NO FISCAL IMPACT PROJECTED

## OPERATING BUDGET IMPACT

To Be Completed by Submitting Department and Reviewed by Budget

### 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 Appropriations

Additional Appropriations

Other (explain)

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

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

Describe: Indeterminate with expectation that costs will be offset by NYS grant funding.

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: Dianne Vanadia

Title: Senior Budget Analyst

Department: Budget

Date: January 17, 2020

Reviewed By: *[Signature]*

DV Budget Director

Date: 1/17/20

Attachment: PH-Electric Vehicle Charging Stations-DRAFT (12376 : PH-Electric Vehicle Charging Stations)



**RESOLUTION NO. \_\_\_\_ - 2020**

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. \_\_\_\_ - 2020, entitled "A LOCAL LAW amending the Laws of Westchester County by the addition of a new Chapter 638 concerning the placement of electric vehicle charging stations at certain parking facilities." The public hearing will be held at \_\_.m. on the \_\_\_\_ day of \_\_\_\_\_, 2020 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.

**LOCAL LAW INTRO. NO. -2020**

A LOCAL LAW amending the Laws of Westchester County by adding a new Chapter 638 concerning the placement of electric vehicle charging stations at certain county parking facilities.

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

Section 1. The Laws of Westchester County are hereby amended by the addition of a new Chapter 638 to read as follows:

**CHAPTER 638****ELECTRICAL VEHICLE CHARGING STATIONS**

**Sec. 638.01. Definitions.**

**Sec. 638.11. New parking garages and new open parking lots.**

**Sec. 638.21. Reconstruction of existing parking garages and existing open parking lots.**

**Sec. 638.31. Implementation and Enforcement**

**Sec. 638.41 Compliance with building codes and all other applicable provisions of law.**

**Sec. 638.51. Severability**

**Sec. 638.01. Definitions.**

Whenever used in this Chapter, the following words and phrases shall have the meanings indicated, unless the context or subject matter otherwise requires:

- a. For the purposes of this Chapter the terms “construction,” “constructed” or “reconstructed” shall refer to any activity conducted pursuant to the authority of a building permit.
- b. The term “contract” shall include:
  1. any contract entered into by the County after the effective date of this Chapter for construction or reconstruction of parking garages or parking lots owned by the County of Westchester; or

2. Any contract for a project receiving discretionary funding or financing from the County of Westchester that is entered into after the effective date of this Chapter and that includes the construction or reconstruction of parking garages or parking lots.

- c. Level one (1) charging station shall mean 120 volt electric vehicle chargers which last four (4) to six (6) hours for plug-in hybrid vehicles and ten (10) to twenty-four (24) hours for battery electric or extended-range electric vehicles. A 120 volt outlet within accessible range of a parking space also qualifies as a level one charging station.
- d. Level two (2) charging station shall mean 208 – 240 volt electric vehicle chargers which last three (3) to eight (8) hours.
- e. Level three (3) charging station shall mean 480 volt electric vehicle chargers which last twenty (20) to thirty (30) minutes.

**Sec. 638.11. New parking garages and new open parking lots.**

1. Any contract as defined in section 638.01 above for the construction of new parking garages and/or new open parking lots shall include provisions mandating that such new parking garages and/or new open parking lots be capable of supporting electrical vehicle charging stations in accordance with this section.
2. New parking garages and/or new open parking lots that have a parking space capacity for 250 vehicles or fewer shall be equipped with the following number of electric vehicle charging stations:
  - a. 10% of the total number of parking spaces for level one charging stations
  - b. 10% of the total number of parking spaces for level two charging stations that also have the capacity for level three charging stations.
3. New parking garages and/or new open parking lots with a parking space capacity

for more than 250 vehicles shall be equipped with 50 total parking spaces capable of supporting electric vehicle charging stations as follows:

- a. 25 parking spaces for level one charging stations
- b. 25 parking spaces for level two charging stations that also have the capacity for level three charging stations.

**Sec. 638.21. Reconstruction of existing parking garages and existing open parking lots.**

Any contract as defined in section 638.01 above for the reconstruction or alteration of any existing parking garages and/or existing open parking lots shall include provisions for the installation of electric vehicle charging stations in the same manner as prescribed for new parking garages and/or new open parking lots contained in Section 638.11 of this Chapter, as applicable.

**Sec. 638.31 Implementation and Enforcement.**

The Commissioner of Public Works and Transportation shall be responsible for the implementation and enforcement of this Chapter including establishing procedures and usage fees as appropriate.

**Sec. 638.41. Compliance with building codes and all other applicable provisions of law.**

Nothing contained in this article shall be construed to exempt or relieve any entity from complying with all relevant provisions of any building code and all other applicable provisions of law.

**Sec. 638.51 Severability.**

If any clause, sentence, paragraph, section or part of this local law shall be adjudged by any court of competent jurisdiction to be invalid, such judgement shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section or part thereof directly involved in the controversy in which such judgment shall have been rendered.

Section 2. This Local Law shall take effect immediately.