



Committee on Environment & Health

~MINUTES~

Monday, February 10, 2020

1:01 PM

Committee Chair: Nancy Barr

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

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CALL TO ORDER

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

Attendee Name	Title	Status	Arrived
Nancy Barr	Chair	Present	
Catherine Borgia	D9 Legislator	Present	
Kitley Covill	D2 Legislator	Present	
Catherine Parker	D7 Legislator	Present	
MaryJane Shimsky	D12 Legislator (Majority Leader)	Present	
Ruth Walter	D15 Legislator	Present	

Others In Attendance: BOL: Legislators: David Tubiolo, Margaret Cunzio, Alfreda Williams, Vedat Gashi, Colin Smith, Chris Johnson Committee Coordinators: Jill Axelrod, Alie Restiano, James Silverberg, Beth LoBello, Brandon Lloyd CEO: Peter McCartt, Steve Bass, Copernicus Crane LAW: Stacey Dolgin-Kmetz, Tami Altschiller, James Carpinello DPW: Hugh Greechan, Bud Nicoletti GUESTS: Henry Neale, Mark Stefanov

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.

Joint with Public Works & Transportation, Planning, Economic Development & Energy, and Environment & Health

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

Legislator Covill asked whether there is a penalty for non-compliance. Commissioner Greechan noted that DPW can cite, but not fine. This will need to be discussed further.

Legislator Covill noted that Sec. 638.11(2)(b) provides that: "10% of the total number of parking spaces for level two charging station that **also** have the capacity for level three charging stations." After discussion, the committee decided that the wording should be changed from "also" to "or".

Mr. Nicoletti stated that under Sec. 638.21, "any contract ... for reconstruction or alteration of existing parking garages" needs to clarify the level of alteration for when it applies. Legislator Covill suggested itemizing the terms for its application. Mr. Nicoletti suggesting adding a definition for reconstruction or alteration, using the building code or stormwater regulations as a guide.

Legislator Parker noted that this legislation originated with the Board of Legislators in 2017. She said that the Board of Legislators is the legislative branch, and it is unusual for the County Executive to send local laws to the Board. Steve Bass noted that the County Executive is allowed under the rules and the charter to send down legislation, and this has been done in the past.

Legislator Parker asked how this proposed law differs from the 2017 legislation. Ms. Dolgin-Kmetz said the basic concept of the law remained the same, but a few points were clarified. She replaced the 2017 language listing the exact number of kilowatts with the EPA categories 1, 2 and 3 to give more flexibility and discretion as standards change.

Legislator Cunzio asked if this will apply to all affordable housing units, and expressed concern that electric cars are more expensive. Mr. Nicoletti said it will, but noted that there are some models of electric vehicles that cost only \$19,000. Mr. McCartt said this law is planning for the future when we expect to have many more electric cars. Legislator Smith asked if there will be waivers available. Ms. Dolgin-Kmetz noted that the DPW Commissioner has the right to establish procedure to implement the law, and there is no express prohibition in the law against granting waivers.

Legislator Gashi was concerned that the language didn't clearly establish the exclusivity of spots. He also wants the definition of Level 1 should be based on the EPA standards rather than how long it takes to charge.

Chair Barr asked if the Law Department had looked at what other counties are doing in this area. Ms. Dolgin-Kmetz said she had, and Legislator Barr asked her to provide copies of what was looked at so we won't have to duplicate the research. She also asked if we should consider putting carports over the spots with charging stations. Mr. Nicoletti noted that the carports are expensive and don't always work.

Legislator Cunzio raised concerns that parking garages for train stations in Northern Westchester are already at capacity, so rather than just taking away spots for electric vehicles, there should be an additional requirement to add spots. Commissioner Greechan said those plans would have to be site specific.

RESULT:	PENDING
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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

RESULT:	PENDING
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II. OTHER BUSINESS

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

III. RECEIVE & FILE

ADJOURNMENT

Moved by Legislator Shimsky and seconded by Legislator Covill, the committee adjourned at 1:59 PM