



## Committee on Public Safety

~MINUTES~

Monday, March 9, 2020

1:01 PM

Committee Chair: Colin Smith

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

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## CALL TO ORDER

Meeting jointly with the Committee on Legislation

Attendee Name	Title	Status	Arrived
Colin Smith	Chair	Present	
Nancy Barr	D6 Legislator	Present	
Margaret A Cunzio	D3 Legislator (Minority Leader)	Present	
Kitley Covill	D2 Legislator	Present	
Christopher Johnson	D16 Legislator (Majority Whip)	Present	
MaryJane Shimsky	D12 Legislator (Majority Leader)	Remote	
Benjamin Boykin	D5 Legislator (Chairman)	Present	

Others In Attendance: CEO: County Executive George Latimer, Steve Bass BOL: MaryJane Shimsky by phone, Catherine Borgia, Lyndon Williams, Alfreda Williams, Catherine Parker, Damon Maher, Vedat Gashi, Sarah Carbonaro, Tatyana Martinez, Lisa Hochman, Ralph Esposito, Jason Chervokas, Melanie Montalto, Carolyn Stevens GUESTS: Ernie Lungaro, Kiley Blackman

## MINUTES APPROVAL

1. Monday, March 02, 2020 at 10:03 AM

**On motion of Legislator Cunzio and seconded by Legislator Johnson the minutes were approved 6 - 0.**

## I. ITEMS FOR DISCUSSION

1. **(ID # 12471) Local Law – LEGISLATORS MAHER, SHIMSKY, PARKER, CUNZIO, BARR, WALTER, BORGIA, BOYKIN, L. WILLIAMS, SMITH, COVILL AND TUBIOLO: Prohibiting Wild or Exotic Animal Performances:**

A LOCAL LAW amending the Laws of Westchester County by adding a new Chapter 682 prohibiting certain performances and displays of wild or exotic animals within Westchester County.

Joint with LEG.

Guests: County Attorney John Nonna, Chief Deputy County Attorney Stacy Doglin-Kmetz, Ernest Lungaro - Director of Humane Law Enforcement, SPCA of Westchester

County Executive George Latimer advised that his executive order was a stop-gap measure to take immediate action until the Board could act to pass a law. He will accept whatever

modifications the Board makes to the policy. County Attorney John Nonna discussed the item with the Committee. Ms. Dolgin-Kmetz addressed various exemptions in the law. Legislator Parker asked why there were exotic animals at the Hanneford Circus this year, since there were none in 2018 and 2019. Chairman Boykin said that he was advised by the County Executive that this was due to an oversight, and should not have happened. Ernest Lungaro, Director of Humane Law Enforcement, SPCA of Westchester, stated that SPCA supports the ban. He said that the confinement and harsh training leading up to performance is harmful to the animals. Legislator Cunzio noted that the animals' life spans are also shortened, and that there is a liability risk for the County if an animal escapes or attacks someone. Legislator Covill asked how we came up with the fines. Ms. Dolgin-Kmetz stated that penalties have to be reasonable in light of the violation. Legislator Maher suggested imposing a penalty of \$10,000 per day for the first violation, \$25,000 for a second violation, and adding a provision that the County Attorney may alternatively or additionally seek an injunction. Mr. Nonna said the language would have to be clear as to when the \$25,000 begins. Legislator Maher also suggested amending the definition of wild animals rather to include general information as well as a list of specific animals.

Chair Smith agreed with the Committee on Legislation to hold this item for further discussion. No action was taken.

**RESULT: PENDING**

2. **RES-2020-33 Resolution – PH - Prohibiting Wild or Exotic Animal Performances:**

A Public Hearing on "A LOCAL LAW amending the Laws of Westchester County by adding a new Chapter 682 prohibiting certain performances and displays of wild or exotic animals within Westchester County." Public Hearing set for March 23, 2020 at 7:30 p.m.]. LOCAL LAW INTRO 12471-2020.

Joint with LEG.

Guests: County Attorney John Nonna, Chief Deputy County Attorney Stacy Dolgin-Kmetz, Ernest Lungaro - Director of Humane Law Enforcement, SPCA of Westchester

Please refer to item #1.

With a motion by Legislator Cunzio and seconded by Legislator Covill the item was approved with a vote of 6-0.

**RESULT: SIGNED BY COMMITTEE**

## II. OTHER BUSINESS

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

## III. RECEIVE & FILE

## ADJOURNMENT

Moved by Legislator Cunzio and seconded by Legislator Johnson the Committee adjourned at 2:04 PM.