

**HEALTH, SOCIAL, EDUCATIONAL & ENVIRONMENTAL COMMITTEE MEETING
HELD IN THE
PUTNAM COUNTY OFFICE BUILDING
ROOM #318
CARMEL, NEW YORK 10512**

Chairwoman Scuccimarra, Legislators Gouldman & Sayegh

Tuesday

6:30P.M.

December 11, 2018

The meeting was called to order at 6:33 P.M. by Chairwoman Scuccimarra who requested that Legislator Gouldman lead in the Pledge of Allegiance. Upon roll call Legislators Gouldman, Sayegh, and Chairwoman Scuccimarra were present.

Item #3 - Approval/Local Law to Amend the Code of the County of Putnam, adding Chapter 133, Entitled “Consumer Health Protection” with a new Article I, entitled “Polystyrene Foam Disposable Food Service Ware Ban” Regulating the Use of Expanded Polystyrene Containers at Food Chain Food Service Establishments (Tabled from 12/04/18 Full Legislative Meeting)

Chairwoman Scuccimarra stated expanded polystyrene foam can put toxins into your food and drink. She stated along with being a possible carcinogen, polystyrene is also a neurotoxin. She stated it takes almost 500 years for polystyrene to decompose. She added that polystyrene comes from a non-sustainable source, harms wildlife, and clogs waterways. She stated there was trepidation with how this legislation would affect approximately 20 businesses. She stated the rest of the population of Putnam County is more important than those businesses. She added that Dutchess County has passed similar legislation and New York City is considering it.

Legislator Albano stated he is in favor of moving this legislation forward.

Chairwoman Scuccimarra stated in speaking with the businesses that could be affected, she found that many of them are already planning to move away from using polystyrene.

Legislator Nacerino stated the merits of the law speak for themselves and many establishments are moving forward with alternatives on their own accord. She stated however, there are some legislators absent this evening who have expressed the ability to speak with local merchants to get some feedback. She requested that the committee wait to hear from these legislators regarding what they have heard from the merchants.

Legislator Addonizio stated Dutchess County gave a period of approximately a year and a half until the legislation went into effect, for businesses to have time to adjust. She suggested Putnam County’s legislation give a similar time period.

Legislator Nacerino stated it could be superseded by the time the law is scheduled to go into effect, if that time period is given.

Legislator Sayegh stated the FDA (Food and Drug Administration) says that polystyrene is safe to use with food products. She questioned why it is used with every piece of meat bought at the grocery store if it is truly bad. She stated she hesitates to pick and choose which businesses are allowed to use polystyrene. She stated she does not use polystyrene personally, but that the decision should be left up to the consumer and not to the government. She stated there have been people who have testified before the committee that polystyrene is not a carcinogen. She stated she understands the reasoning behind wanting to ban polystyrene.

Legislator Gouldman stated he agrees that the polystyrene containers are bad for the environment but this kind of law would not help the situation. He stated Putnam County is the smallest county in the State and only a few businesses would be affected. He stated if a business right on the border of Putnam County uses polystyrene, it will still end up in the County's environment. He stated he does not believe this law would be effective.

Chairwoman Scuccimarra stated her concern is with the businesses and the residents of Putnam County, which outweigh the few businesses this would be affecting. She stated if the general consensus of the Legislature is against this legislation, she will not move it forward. She encouraged Putnam County residents to contact their legislators regarding their views on polystyrene.

Legislator Sayegh agreed with Chairwoman Scuccimarra regarding residents contacting their legislators.

Legislator Albano stated he has not heard from anyone being against this legislation.

Legislator Gouldman questioned if any businesses were invited to speak tonight.

Chairwoman Scuccimarra stated it is very difficult to get a hold of the owners. She reiterated her encouragement of the residents to reach out to their legislators.

Item #4 - Approval/Local Law to Amend the Putnam County Code, adding Chapter 147, Entitled "Electronic Cigarettes (E-Cigarettes)" to License and Regulate the Sale of E-Cigarettes, Similar Devices, and Related Products

Chairwoman Scuccimarra stated this is for the licensing of stores that only sell vaping products. She stated Legislative Counsel Robert Firriolo has drafted this legislation. She stated there are some changes to the proposed law she has discussed with Legislative Counsel Firriolo.

Legislative Counsel Firriolo stated this legislation would only regulate a license for the sale of e-cigarettes, as well as their components or parts. He stated for clarification, in the definition section, it will be changed to match State law.

Legislator Gouldman questioned if the State and/or Dutchess and Westchester Counties currently regulate e-cigarette sales.

Legislative Counsel Firriolo stated the State only regulates the purchase age. He stated there is no State law for a license for vape shops.

Legislator Gouldman questioned if there will be a fee for the license.

Chairwoman Scuccimarra stated there will be.

Legislator Gouldman questioned how much the fee is.

Chairwoman Scuccimarra stated it is \$250.

Legislator Gouldman questioned how often the fee will have to be paid.

Chairwoman Scuccimarra stated annually.

Deputy Commissioner of Social Services Joseph DeMarzo stated any fees that are collected can be used for a multitude of ways, including education. He stated it would be a great way to educate the community on vaping and the risks involved.

Legislator Addonizio questioned who would be enforcing this legislation.

Chairwoman Scuccimarra stated the Health Department. She stated part of the fee will go towards implementation.

Legislator Gouldman questioned if an application means an automatic license.

Chairwoman Scuccimarra stated the Health Department would make a visit. She stated there are not many shops that sell only vape products.

Legislator Gouldman questioned how many there are.

Deputy Commissioner DeMarzo stated there are six (6) or seven (7) that they know of, but it is hard to keep track because they are not regulated in any way.

Legislator Nacerino stated the municipality that the store opens up in would have a record of them being there.

Legislator Gouldman questioned what penalties there are.

Legislator Sayegh stated \$250 for the first infraction, \$500 for the second, and \$1000 for the third, within a two (2) year period.

Legislator Addonizio questioned who exactly would be fined.

Legislative Counsel Firriolo stated any person who violates the law could be fined, whether they are a corporation or an individual.

Legislator Nacerino questioned who is going to apprise a new shop that they need to apply for the license.

Chairwoman Scuccimarra stated the Health Department will watch for new shops.

Legislator Nacerino questioned how it will be ensured that there will not be a fine given to a new business if they are unaware of the law.

Chairwoman Scuccimarra stated the Health Department will not fine new businesses who are unaware of the law.

Legislator Albano stated the Town of Carmel just passed a moratorium on more vape shops.

Chairwoman Scuccimarra made a motion to move Approval/Local Law to Amend the Putnam County Code, adding Chapter 147, Entitled “Electronic Cigarettes (E-Cigarettes)” to License and Regulate the Sale of E-Cigarettes, Similar Devices, and Related Products to the Full Legislative Meeting; Seconded by Legislator Sayegh. Legislator Gouldman voted no. Motion carries.

Item #5 - Approval/Fund Transfer 18T396/Social Services/To Reallocate Appropriation to Reflect Projected Cost through 12/31/2018

Commissioner of Social Services Michael Piazza stated items #5 and #6 are just to adjust budget lines for Foster Care and Adoption Subsidies. He stated there is no fiscal impact.

Chairwoman Scuccimarra made a motion to approve Fund Transfer 18T396 to the Audit & Administration Meeting; Seconded by Legislator Gouldman. All in favor.

Item #6 - Approval/Fund Transfer 18T397/Social Services/To Reallocate Appropriation to Reflect Projected Cost through 12/31/2018

Chairwoman Scuccimarra made a motion to approve Fund Transfer 18T397 to the Audit & Administration Meeting; Seconded by Legislator Gouldman. All in favor.

Item #7 - Other Business - None

Item #8 – Adjournment

There being no further business at 6:59pm, Chairwoman Scuccimarra made a motion to adjourn; Seconded by Legislator Gouldman. All in favor.

Respectfully submitted by Ed Gordon, Administrative Assistant.