

## WESTCHESTER COUNTY BOARD OF LEGISLATORS

### COMMITTEE ON ENVIRONMENT & ENERGY

**MINUTES: September 2, 2009**

MEMBERS (E&E): Chair: Abinanti; Legislators: Harckham, Kaplowitz, Myers, Oros, Rogowsky

IN ATTENDANCE: STAFF: C. Crane, R. Pezzullo; GUESTS: Hon. M. Murphy (Supervisor, Somers); G. D'Agrosa, T. Corbitt (WCDP); S. Leifer (Sierra Club); M. Rose (CWCWC); [list of other attendees on file]

Meeting called to order at 11:16 am.

Item(s) Discussed: **East of Hudson Funds Request – Regional Stormwater Entity Feasibility Study**

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Chair Abinanti initiated review of proposed legislation to allocate East of Hudson (EOH) funds for a feasibility study on regional stormwater management and to enter an intermunicipal agreement with the Town of Somers. Northern Westchester Watershed Committee Chair (NWWC) Mary Beth Murphy, also Somers Supervisor, provided an overview of the project and the EOH funds request. The twelve municipalities in the Croton and Kensico watersheds formed a coalition titled Croton Kensico Watershed Intermunicipal Coalition (CKWIC). New York State Department of State (NYS DOS) awarded CKWIC a \$200,000 grant to perform a feasibility study on developing a regional stormwater entity (RSE) to address enhanced stormwater obligations for these watershed municipalities in the most recent NYSDEC MS4 permit.

Ms. Murphy explained that the NYSDOS grant is reimbursable upon study completion. Consequently, the study costs, including consultant retention, are initially being provided by Somers, which is acting as lead municipality on behalf of CKWIC. O'Brien & Gere have been retained to perform the study at a cost of approximately \$195,000. The NWWC approved use of \$200,000 of East of Hudson funds to provide a loan to Somers as interim funding for the RSE study. Thus, the proposed EOH allocation is a non-interest loan.

Upon inquiry by Chair Abinanti, Ms. D'Agrosa informed the Committee that no objections had been made through the right-of-objection process on the proposed

allocation. Leg. Rogowsky questioned whether the study would include nitrogen as a contaminant and whether stormwater from the watershed reaches Long Island Sound. Ms. D'Agrosa replied that the watershed does not drain to Long Island Sound and that proposed improvements in the study may also be applicable to nitrogen. However, the main contaminant under consideration in the study is phosphorus, as NYSDEC has established a phosphorus Total Maximum Daily Load (TMDL) in several of the watershed reservoirs.

Upon the motion of Leg. Kaplowitz, seconded by Leg. Harckham, the Committee approved the legislation (all in favor).

Upon the motion of Leg. Myers, seconded by Leg. Harckham, the Committee approved the meeting minutes of March 3, 2009, and April 3, 2009 (all in favor).

Chair Abinanti adjourned the meeting at 11:45 am.

[audio recording of the meeting is on file]