

Westchester County Board Of Legislators  
Committee on Environment & Energy  
Septic Subcommittee  
Meeting Minutes, April 22, 2010

In attendance:

Committee Members:

Subcommittee Chair: Hon. Peter B. Harckham

Gina D'Agrosa, Water Master, Westchester County

Ed Barnett, Putnam County Watershed Information Coordinator; Administrator, Putnam County Septic Repair Program

William Harding, NYS Department of State: Executive Director, Watershed Protection and Partnership Council

Michael Meyer, Bureau of Water Supply NYCDEP

Paul Kutzy, P.E. Assistant Commissioner, Westchester County Department of Health Bureau of Environmental Quality

Hon. Richard Lyman, Board Member, Town of Pound Ridge

Hon. Dan Welsh, Board Member, Town of Lewisboro

Guests & Visitors:

Katherine Delgado, Representing George Oros, Chief of Staff, Office of the County Executive

Rich Fon, Superintendent DPW, & Building Inspector, Town of North Castle

Hon. Charles Duffy, Supervisor, Town of Lewisboro

Jeffrey Osterman, Director of Planning, Town of Bedford

Jerry Faiella, Administrator, Town of New Castle

Bruce Thompson, Building Inspector, Town of North Salem

Bob Eichenger Green Septic Solutions, Amenia, New York

Tara Bernard for Hon Michael Kaplowitz

BOL Staff: Chris Crane, Wendy Wild

Chair Peter Harckham called the meeting to order at 3:35 P.M., and reviewed the draft minutes which were approved subject to a minor revision to be made.

Chair Harckham gave an update to the committee on the Septic Management Program, and the funding possibilities discussed at the recent NWWC meeting. Chair Harckham stated that the Administration and the Board are committed to getting the necessary funding to carry out this project, including bonding if necessary.

Chair Harckham also shared the discussion at the NWWC meeting of the expressed desire of members to have the County take on the Septic Inspection Program, and the County attorney said that Westchester County can not take on a responsibility for individual municipalities' MS-4 requirements. In response to these concerns expressed by NWWC-Kenneth Kosinski of NYS DEC reiterated that each municipality is responsible for its own MS4. Bill Harding spoke with Ken regarding this, and Ken emphasized the need for involvement on the county, local and state (DEC) levels, and NYS DEC favors our cooperative approach, so the Subcommittee's current plan is the one acceptable to DEC and therefore no modifications will be considered.

Chairman Harckham, stated that the subcommittee had worked quite carefully to develop a cooperative, shared services program to help meet this requirement, and this was done voluntarily - the county was not required to do this, but saw a need, and wanted to assist localities. If there

are other ways for the County to help with assistance to Towns, such as educational mailings, this may be a more cost effective approach, and the Chair asked if committee members could come up with small opportunities for county assistance, and noted that wholesale changes in our approach would not please DEC. Peter also noted that this shared services approach to the inspection requirement did not put a financial burden on the towns, as it costs the towns nothing to pump and report findings to the county.

Discussion followed about the data base project and how this shared information can assist municipalities with follow up on the inspections. There are several ways to approach the data base including tax parcel IDs, 911 identifiers. Chair Harckham will work together with planning to get an update and a timetable to know when they might be ready for local participation, and it was stressed that local feedback is an important part of this process. In addition, Dick Lyman stressed that the towns need adequate time to prepare for the implementation of this program.

With regard to Public Health Law Appendix 75A, the special septic requirements for towns within the watershed were discussed, along with the need to understand what technologies might be permitted in the watershed, and this concern also relates to the process of the Housing Settlement, which will be implemented in communities impacted by watershed regulations.

Paul Kutzy asked committee members to bring to the next meeting some examples of “real life” problems they have faced with regard to septic management so that the County Health Department can consider them when drafting the new regulations.

The next meeting is scheduled for May 20 and the meeting adjourned at 4:55 P.M.

Respectfully submitted by Wendy Wild