

WESTCHESTER COUNTY BOARD OF LEGISLATORS

COMMITTEE ON ENVIRONMENT & ENERGY

MINUTES: March 17, 2008

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

IN ATTENDANCE: STAFF: C. Crane; GUESTS: S. Gerry, B. Randolph (CEO); M. Gleeson, L. Trentacoste (Law); G. D'Agrosa (WCDP); S. Ferreira (Town of Cortlandt), A. Futia (Town of North Castle) [list of other attendees on file]

Meeting called to order at 3:50 pm.

Item(s) Discussed: **Septage Removal Reimbursement – Proposed Legislation; Septic System Management; E&E Item No. 3.**

Chair Abinanti commenced the meeting by reconsidering legislation to require recycling collection of plastic bags by certain retailers. The Committee on Legislation had slightly amended the legislation that was approved by the Committee on Environment & Energy on February 25th to allow more flexibility in location of the recycling bin. Upon the motion of Leg. Harckham, seconded by Leg. Myers, the Committee approved the amended legislation (all in favor).

The Committee next considered legislation proposed by the County Executive to establish a program to allow reimbursement for pump-out and inspection of septic systems. Upon referral by the Budget & Appropriations Committee, the Environment & Energy Committee had approved similarly proposed legislation last August, with the inclusion of a six-year sunset clause. The Committee then discussed various procedural aspects of parcels entering and exiting sewer districts, as well as the numerical/financial data supporting the legislation.

Chair Abinanti described the proposed legislation. Ms. Gerry explained that administration of the proposed program consists of verifying the validity of pump-out and inspection expenses and performance by a properly licensed professional, with information stored in a database to assist monitoring. No new staff are contemplated to administer the program. Upon inquiry by Leg. Kaplowitz about educating residents

about the program, Commissioner Lauro noted that mailings, e-mails, etc. to the affected vicinities could inform about the program.

Leg. Kaplowitz noted challenges previously encountered in removing persons from the sewer district because of the requirements of the Sanitary Code. Ms. Gerry stated that an interdepartmental policy is presently under development to address existing septic systems, and, in cases of parcels with small lots or with failed systems, the intent is to have such parcels become sewerred.

Leg. Kaplowitz stated he and Leg. Oros had previously tried to address inequities for parcels within Yorktown sewer district that could not become sewerred because of a moratorium. Yorktown created a two-tier schedule of sewer taxes in its special district - parcels not connected to sewers pay a small sum for capital expenses but not operation and maintenance expenses. Criteria preventing a parcel from exiting a county sewer district include parcels less than 40,000 sq. ft. or within 100 feet from a sewer. Leg. Oros stated that for some homeowners cost to build a lateral is prohibitively high and may never become sewerred.

Upon inquiry by Leg. Abinanti about limiting reimbursement of expenses under the legislation, Ms. Gerry noted that the regulations to be established by the DEF Commissioner will set program parameters, including limits upon amount of reimburseable expenses. Mr. Gleeson stated that the legislation sufficiently enabled the DEF Commissioner to cap the reimbursement amount.

Leg. Myers expressed that sewer systems benefit the community overall, even if not all residents use the system. Leg. Harckham emphasized that the proposed program addresses useful education and maintenance aspects, through a financial incentive. The Committee then reviewed the data schedule accompanying the legislation. Ms. Gerry stated that they would review the numerical data. Leg. Abinanti suggested changes to the legislation to identify the Commissioner's power to establish regulations and to limit reimbursement expenses.

Chair Abinanti then initiated a brief discussion on septic system management. Ms. Gerry provided a table describing various initiatives for consideration on septic system management. Leg. Harckham described the scope of a new subcommittee that he will chair on septic systems to assist in evaluating management initiatives.

Upon the motion of Leg. Myers, seconded by Leg. Harckham, the Committee voted to adjourn (all in favor). The meeting adjourned at 5:25 pm.

[audio recording of meeting is on file]