

MINUTES OF COMMITTEE FOR THE ENVIRONMENT, JULY 21, 2015

7:30 P.M. at Courtroom, 169 Mt. Pleasant Ave., Mamaroneck, NY 10543

PRESENT: Committee: Kristen Carpenter, Martin Hain, Joan Heilman, Phil Horner, Marc Karell (Co-Chair), Maria Karsou, Monica Pfeiffer-Barach (Co-Chair). Richard Slingerland, Village Manager, Dan Sarnoff, Assistant Village Manager, Greg Cutler, Assistant Planner, David Finch, Liaison to BOT, Hugh Graecan, Engineer.

ABSENT: Laura Holbrook, Shonna Keogan, Sarah Richards

Minutes of May 2015 meeting approved.

**1. New Water Quality Reporting Form.** Greg introduced a new reporting form to automatically report an alleged water incident to the Village Administration. It can be used through a smart phone and allows uploading of photos. It is still in beta form, and being tweaked. 96.56.82.68 8081/geoform

**2. Enforcement of Environmental Rules.** Village of Mamaroneck Police Sgt. Sandra DiRuzza spoke about the role of Village Police in enforcing existing environmental rules. Re: plastic bag ban: the Police does not go door to door checking on merchants, but will respond to citizen complaints and coordinates visits with the Building Dept. Re: idling: the police is aware of the limitation and looks for idling candidates in the downtown area and near schools at pick up times. Re: leaf blower ban: the police are aware that leaf blowers are currently banned. They will issue warnings or summonses during routine patrols, if observed. They will respond to citizen complaints; however, by the time a patrol car gets to address, the landscaper usually has finished using the leaf blower (just to move a small amount of loose clippings). Summonses are issued to the owner and landscaper when information is available. Sgt. DiRuzza was asked how many summonses have been issued for violations of these rules. The only one she was aware of was 13 summonses for leaf blowing law violations, 10 from routine patrols.

**3. Warren Avenue Playground Surface.** A new playground surface is needed in this park. Wood chips and rubber mulch was considered, but they could float away in a heavy storm, and need frequent replenishment. The Village Administration received information and bids and is considering a knitted rubber artificial turf surface. It is durable and will not wash away. It is soft and bouncy, which will reduce the safety risk of children at play. The environmental issue is whether this surface represents an impermeable surface or not. The Village is trying to maintain, if not expand, the amount of permeable surface to reduce flood risks. One vendor, No Fault Sport Group submitted a bid for a rubber knitted surface which allows water to infiltrate through to the gravel bottom. In its literature was a summary of test results done by a certified laboratory, showing that flow time of water representing a heavy rain flow was rapid (in seconds). The testing followed ASTM F1551-09, Part 6 (Water Permeability).

Gina von Eiff (Citizen) asked whether bacteria, mersa, or staph might grow on this proposed rubber surface, and whether this may constitute a health risk for children. Dan Sarnoff did not know, but will check with the vendor. Hugh Graecan stated that in his experience any exposure to the sun for more than a day or two would inactivate any bacteria or virus. Stuart Tiekert (Citizen) asked whether FIBAR, an engineered wood fiber which claims to be 100% permeable, would be equal or superior to the proposed knitted rubber surface. Dan Sarnoff said he would look into the feasibility and cost of FIBAR.

#### **4. Water Quality Issues.**

**a. EPA Consent Order.** Rich Slingerland said that the draft update letter was with ARCADIS for comments and would be sent to the USEPA by the end of this week.

**b. MS-4 Report and Resolution.** The Committee issued a resolution to the Board of Trustees on July 6, stating: "Due to both inexact as well as inaccurate reporting of enforcement activity, the CFTE cannot give approval to the current MS4 report as was submitted. We urge that the Village improve both its process to gather data for the report throughout the year, as well as its process for distribution, review and comment of the report to allow for greater transparency and public involvement, as dictated by law. In particular, we ask that the Village Manager's office prepare and submit an enumerated plan for improving the process to ensure proper recordkeeping, improve the preparation and review process, and produce a better quality report in the future."

The resolution was presented by Phil Horner at a Board of Trustees meeting on July 13, and discussed. The 2015 MS-4 Report will not be re-written and re-submitted to correct for errors. However, the Village Administration will make changes going forward to better ensure that the report, which must be certified to New York State, be more accurate and allow more time for public comment. The new Village Engineer will take responsibility for data gathering and report writing. A draft report will be posted earlier in the process for public comment.

**c. Documentation.** An issue that has been discussed at a number of committee meetings is the status of documentation. The Village Administration has claimed that a number of routine inspections have been made, but not recorded because no violation was found. It was acknowledged that this is not the proper procedure; an inspection that is not recorded is not an inspection at all. The Village Building Dept must do a better job of tracking its inspections, summonses issued, etc. The Village uses Muncicity, a commonly-used software. With the turnover in the Building Dept it is thought that not everybody is fully trained or comfortable with the program. Building Inspectors are given tablets which makes it easy to take and upload pictures, and type in observations from inspections, with all the data sent to the Muncicity database. Building Inspectors will be trained to use Muncicity and told that they must record all inspections and actions. This effort will also help save time and improve the accuracy of future MS-4 reports.

d. **LWRP.** The draft LWRP was submitted to the Mayor and Board of Trustees. It is currently being reviewed by the HCZM and by experts. We are awaiting their comments. The Board of Trustees has not voted on the report yet.

e. **Mamaroneck River.** Ms. Gina von Eiff expressed concern about items she sees in the Mamaroneck River. She said that she contacted the NYSDEC about it, although she did not give details about whether they came and did an in-person inspection. Village Administration asked ARCADIS to take samples and perform appropriate analyses. Ms. Von Eiff was concerned that children swim in the water and people fish there and eat the fish. It was suggested that perhaps warning signs be made and posted in Columbus Park and other areas of access.

Ms. von Eiff also expressed concern that contamination of the Mamaroneck River may be occurring in other towns that feed into it, such as White Plains. Rich Slingerland stated that they do not have the jurisdiction to issue summonses to those in other municipalities observed to contaminate the river upstream. It was suggested that the NYSDEC and the Westchester County Dept of Health be contacted to discuss their enforcement of such issues.

5. **Street Light Upgrade.** The Village Administration has decided to use the existing contract between New Rochelle and Lumen Light to change the Village's roughly 1,250 street lights to LEDs, which will reduce electricity consumption by over 50%. Lumen Light will perform a preliminary study of the Village's street lights to determine if there are over- or under-lit areas and what type of fixtures are most appropriate. Then they will propose the appropriate LED street lights. The Village is getting a proposal from Bright Energy Services of White Plains, an experienced energy firm, to oversee the performance of Lumen Light and ensure that the right LED lights are installed in the proper orientation to maximize lighting and cost savings.

6. **Recyclable Fabrics.** A recyclable fabrics box from TransAmerica will be installed at Toy Box on Boston Post Road. The Village Administration does not need to be involved, except for the total annual recyclables (removed from the solid waste stream) being recorded and reported. Joan Heilman suggested that one or more additional recyclable fabric boxes be placed throughout the Village, such as in the Recycling Center. Rich Slingerland will check the feasibility (space constraints) of installing one there.

7. **Outreach.** The Outreach Sub-committee is finalizing "clean & green" posters to put on the CVS Board downtown. The poster discusses the need for green lawn practices and about the leaf blower ban. It should be ready for posting in 1-2 weeks.

**8. Erosion & Sediment Control.** Rich Slingerland stated that the Village has only one Building Inspector certified for erosion and sediment control. The engineer Hugh Graecan is certified himself. Rich stated that he expected two other Inspectors in the Building Dept to be certified by October or November. The Building Dept focuses on the weekly report and is planning a new method to more quickly issue a summons for those who don't submit their weekly reports. As discussed earlier, Building Inspectors will be told to use their tablets to record all information and photos from inspections and drive-bys.

**9. Release of Crushed Stone into Sound.** Silt was recently videotaped spewing into the harbor near the Sporttime Tennis Bubble during a rainstorm. The Village is designing a fabric filter that will go into catch basins to catch the solids while the water flows through. Hugh Graecan showed the attendees schematics and other information about the fabric filters. Questions were asked if these were of the right pore size and structure to adequately filter out the solids, while not tearing on a routine basis. Hugh felt certain that they are designed properly for the type of solids they will be catching (140 sieve). Plus they will have an overflow mechanism. They are expected to be fabricated and installed in the next few weeks. The fabric filters must be cleaned (solids removed) and inspected for integrity after every rain storm. Sporttime has offered an employee to do this routinely. This was a concern to the Committee about that employee's reliability. At the least, we felt, some type of formal signed Agreement must be issued to formalize this responsibility with Sporttime and Village employees should check that this is actually performed periodically.

**10. Solarize.** The Solarize program to encourage residents and businesses to install solar panels to generate electricity ended on June 22. 71 (all residences) have signed contracts in the Village of Mamaroneck, unincorporated Town of Mamaroneck, and Village of Larchmont. This included, by the way, two members of the Committee. This far exceeded the goal of 30-50 such contracts. The Village Administration was thanked for their support of the program. Signs for the program may be taken down at the Village's convenience. The program is not over as a number of these proposed projects must still get approval from the Village's Architectural Board.

**11. Community Garden.** 12 plastic planting beds (4' x 8') will be installed at Bub Walker Park this week. 2 55-gallon rain barrels are in place. These barrels will be filled with water by Village personnel when needed. Signees for these spots will be informed of their availability shortly. The Village will also write "Rules" for the signees for using the community garden. Shonna Keogan can prepare a draft press release announcing the garden.

**12. Leaf Bagging For This Fall.** The Washingtonville neighborhood requested leaf bagging be instituted in the Village or at least in their neighborhood because of their narrow streets and limited space. Loose leaves and piles have been observed to clog storm drains. Therefore, the Village will host a pilot leaf bagging rule for the

Washingtonville area this fall. The Village will give all residents a small number of leaf bags free of charge. The Village will monitor its administration and results to determine if this should be carried on to the entire Village.

**13. Marine Education Center.** The Village would like the Marine Education Center to thrive. In the long-term, the hope is that it becomes a public-private partnership. It is early, but if this works out, a committee composed of representatives of private boating and conservation concerns and representative of the Village will make decisions about the Center. It was thought that ideally, it would be nice that a member of this Committee serve in such a MEC Committee. It is early, but in the long-term as this comes into place, a request may be made for a member of this Committee to also serve on a future MEC Committee.

**14. River Walk Plans.** Hugh Graecan showed the Committee plans to revive the River Walk, near Phillips Park Rd., along the Mamaroneck R., up until the Tompkins Ave. Bridge. This is about 400 feet in length. The existing path has been worn away by storms and many overflows of the river, and may be dangerous. Roots will be removed, stones put in place, with a group of large, flat stones on top as the walking surface. The Committee was impressed with the plans. The issue of lighting came up. There are no plans to install lights. The area can be dark at night. Another area of concern expressed was security. Might the River Walk be closed after a certain nighttime hour? How would this be enforced? With a physical fence kept closed or only by a sign? Village Administration will think about these issues.

The Committee voted not to have a meeting in August.