

EXTRACT OF MINUTES OF A REGULAR MEETING OF THE BOARD OF TRUSTEES OF THE VILLAGE OF MAMARONECK HELD ON APRIL 9, 2018, AT 7:30 P.M. IN THE COURTROOM AT VILLAGE HALL, MAMARONECK, NEW YORK

RESOLUTION RE: ADVISORY COMMITTEE ON WATER QUALITY: REGARDING PURPOSE, GOALS, COMPOSITION AND ORGANIZATION

WHEREAS, the Final Draft Local Waterfront Revitalization Program (LWRP Update) adopted by the Board in November 2016, filed with the New York State Department of State for their formal review, identifies numerous proposed projects among which is the Village-Wide Water Quality Assessment Program to Improve Water Quality, Including Support for Measures to Address Both Point and Non-Point Source Pollution and Review and Implement Recommendations Contained in the Management Plan for the Sheldrake and Mamaroneck Rivers and Mamaroneck Harbor, also known as the Watershed Advisory Committee 4 (WAC4) Report Completed in 2001 @ <https://planning.westchestergov.com/images/stories/reports/WAC4report2001.pdf>

; and

WHEREAS, the LWRP Update notes that “[d]evelopment of this program is consistent with completion of the designated task #13 under the 2004 Environmental Protection Fund grant provided to review and update the prior LWRP;” and

WHEREAS, the LWRP Update states that “[t]he Village should partner with local, State or Federal agencies or one or more regional non-profit organizations to conduct a detailed study of water quality in the Village, including Mamaroneck Harbor and the environmental condition of the Harbor floor. In addition to creating a baseline for water quality and environmental conditions in the harbor and other Village waters, this study would recommend specific actions by both the Village and other regional stakeholders to take to improve these conditions;” and

WHEREAS, the LWRP Update calls for the reestablishment of the Advisory Committee on Water Quality (Committee) to be tasked with developing a draft Water Quality Assessment and Improvement Plan (Plan) to be presented to the Village Board of Trustees; and

WHEREAS, the LWRP recommends that the Committee members be composed of one representative each from the Harbor & Coastal Zone Management Commission (HCZMC), Planning Board, Zoning Board of Appeals, Committee for the Environment, and the Flood Mitigation Advisory Committee; and

WHEREAS, in support of this task the LWRP recommends that such a Committee be provided with resources to include access to professional staff and consultants to assist with the design of the Plan; and

WHEREAS, by resolution of December 19, 2016, the Village Board of Trustees re-established such Committee and requested that each of the aforementioned entities suggest members for appointment; and

WHEREAS, in re-establishing the Committee, the Board of Trustees established the following mandate, as provided for in the LWRP Update: “To develop a draft water quality assessment and improvement plan to present to the Village Board of Trustees”; and further requested that the

Village Manager provide staff support to the Committee; and to facilitate access to Village consultants—to be coordinated through the Village Manager; and

WHEREAS, on February 17, 2017, the Board of Trustees appointed individuals to the Advisory Committee on Water Quality following the nominations by the respective Board, Committee, or Commission; and

WHEREAS, on June 29, 2017 and November 30, 2017, the Advisory Committee on Water Quality held meetings to review their mandate and discuss the village programs efforts on these matters and water quality data; and

WHEREAS, on March 22, 2018, the HCZMC discussed a draft of this Resolution and recommended “that a public awareness component be added to the resolution to promote practices to reduce pollution and improve overall water quality;” and

WHEREAS, based on its advisory nature, the Committee does not constitute a public body, thus it is not subject to New York’s Open Meetings Law, however, the Board of Trustees shall require that the Committee’s meetings be open to the public; and

WHEREAS, the Board of Trustees hereby provides additional guidance to the purpose goals composition and organization of the Committee;

On motion of Trustee Tafur seconded by Trustee Lucas:

RESOLVED, that the Board of Trustees herein reaffirms the following charge for the Advisory Committee on Water Quality, as set forth in the LWRP Update: “To develop a draft Water Quality Assessment and Improvement Plan to present to the Village Board of Trustees”; and be it further

RESOLVED, that the Committee membership will be composed of one representative from each of the Harbor & Coastal Zone Management Commission (HCZMC), Planning Board, Zoning Board of Appeals, Committee for the Environment, and the Flood Mitigation Advisory Committee, and two representatives appointed by the Board of Trustees; and be it further

RESOLVED, that such representatives shall be designated annually by the respective Commission, Board or Committee at the first meeting following the Annual Organizational Meeting in December; and will serve in the Advisory Committee on Water Quality until the next Annual Organizational or until a new designation is made by the respective Commission, Board, or Committee during the year; and that such representative may be re-designated to serve in the Committee for subsequent years, as long as the member is part of the respective Commission, Board or Committee; and be it further

RESOLVED, that such representatives shall report on the findings and efforts of the Advisory Committee on Water Quality to their respective Commission, Board, or Committee; and be it further

RESOLVED, that the two members appointed by the Board of Trustees will serve for two-year terms, with the initial appointments set to expire at the Annual Organizational Meetings in 2019

and 2020, respectively; and that these volunteers may be re- appointed by the Board of Trustees for a second term; and be it further

RESOLVED, that the Board of Trustees shall appoint a liaison to the Advisory Committee on Water Quality at the Annual Organizational Meeting; and be it further

RESOLVED, that the Advisory Committee on Water Quality shall appoint an annual chairperson at the first meeting following the Annual Organizational Meeting; and be it further

RESOLVED, that the Advisory Committee on Water Quality shall meet not less than four (4) times a year to review the status of the draft Plan; and be it further

RESOLVED, that the Village Manager shall prepare an annual Draft Plan, to be submitted to the Committee by the end of September, with the initial Draft Plan to be submitted by September 30, 2018; and be it further

RESOLVED, that the Advisory Committee on Water Quality shall review and comment on the Draft Plan prepared by the Village Manager by November 30, 2018, and annually thereafter, and shall submit the Draft Plan, together with recommendations on the Draft Plan and on the implementation of prior iterations of the Plan, to the Board of Trustees; and be it further

RESOLVED, that the Board of Trustees shall consider the Draft Plan, together with the Committee's recommendations on the Draft Plan and on the implementation of prior iterations of the Plan, and shall adopt the Plan, or request the Village Manager to make modifications to the Draft Plan, by January of the following year, with the goal of adopting the Plan no later than the end of February, unless extraordinary circumstances merit providing additional time for the preparation of such modifications; and be it further

RESOLVED, that the Committee's meetings shall be open to the public; and

BE IT FURTHER RESOLVED, that the Village's Water Quality Assessment and Improvement Plan shall be prepared in accordance with the LWRP Update, as follows:

Water Quality Assessment

The Village should (a) conduct increased periodic sampling of all Village waters to (I) effectively identify pollutants and possible point and non- point sources of pollutants and (II) allow analysis of changes in water quality of different Village waters over time, and (b) provide public reporting of all sampling results.

The Village should also conduct (I) a detailed study of water quality in Mamaroneck Harbor and the environmental condition of the Harbor floor and (II) a detailed study of the aquifer that exists under Village land, including boundary limits, functioning, water quality and impact on flooding and other environmental conditions. The Village should seek to obtain grants directly from the USGS and DEC, and from the New York State Department of State (DOS) and DEC as a source of Environmental Protection Fund grants, for the study of the aquifer.

The Village should work with local, State or Federal agencies and non-governmental organizations that monitor water quality, such as Save the Sound. The Village should work with these agencies and organization (a) to develop the details for the assessment of water quality, and
(b) to coordinate testing and other surveillance.

Water Quality Improvement

The Village should address specific measures to address both point and non- point source pollution and improve overall water quality, including:

(I) Develop a process, with identified responsibilities, to ensure strict adherence to the Village of Mamaroneck “State Pollutant Discharge Elimination System (SPDES) General Permit for Stormwater Discharge from Municipal Separate Stormwater Sewer System (MS4s), GP-0-10-002,” or as amended or revised. This permit includes “Traditional Land-Use Control MS4 Minimum Control Measures (MCMs)”. These minimum control measures are incorporated into the Village of Mamaroneck “Stormwater Management Plan (SWMP).”

(II) Develop a process, with identified responsibilities, to periodically review implementation of the Village of Mamaroneck “Stormwater Management Plan (SWMP)” dated March 2003, as amended or revised, including, as necessary, recommend modifications to existing law to ensure implementation of the SWMP. This SWMP is intended to be a “dynamic plan,” and will be modified over time in order to continue to address water quality requirements in accordance with DEC and USEPA “Stormwater Phase II Final Rule” regulations.

(III) Develop a process, with identified responsibilities, to periodically review implementation and, as necessary, recommend amendment of Chapter 294 “Stormwater Management and Erosion and Sediment Control” of the Village of Mamaroneck Code. The purpose of this chapter is to establish minimum stormwater management requirements and controls to protect and
safeguard the general health, safety, and welfare of the public residing within the Village’s jurisdiction and to address the finding of fact in Section 294-1.

(IV) Develop a Capacity, Management, Operation, and Maintenance (CMOM) Programs for the Village’s municipal stormwater and sewer systems, including programs to identify and eliminate all illegal connections and to reduce inflow and infiltration of these systems; and consider alternative Code provisions to ensure that leaks in private sewer lateral lines connecting to public sewers are identified and fixed.

(V) With a goal of making Village catch basins highly effective at filtering runoff that can contaminate Village waters, develop and implement a program to prioritize catch basins for (a) routing cleaning/maintenance and (b) retrofitting filtering devices and velocity diffusers.

(VI) Review impact of chemical and other components of runoff that adversely impact water quality and adopt amendments to the Village Code to reduce such adverse impact,

including implementing reasonable restrictions on chemical and fertilizer usage.

(VII) Review and implement relevant recommendations of the Management Plan for the Sheldrake

and Mamaroneck Rivers and Mamaroneck Harbor, also known as the Watershed Advisory Committee

4 (WAC4) Report, which sets forth a non-point source pollution control plan for the Sheldrake

and Mamaroneck Rivers and Mamaroneck Harbor. The study area of the Report comprised the

watersheds of the Sheldrake and Mamaroneck Rivers and the Mamaroneck Harbor. Six communities participated on the WAC4 (the Town/Village of Harrison, the Town of Mamaroneck, the Village of Mamaroneck, the City of New Rochelle, the Village of Scarsdale and the City of White Plains).

The WAC4 Report provides a broad understanding of watershed planning for the Long Island Sound watershed, describes characteristics of the study area, and includes results of watershed analyses and recommendations to reduce the volume of non-point source pollution entering Long

Island Sound in Westchester County. The WAC4 Report makes specific recommendations for controlling non-point source pollution in each municipality in the study area, including the Village of Mamaroneck, covering (i) stream assessment and restoration, (ii) freshwater and tidal wetlands, (iii) stormwater management, (iv) local comprehensive plans and ordinances and (v) education and outreach.

(VIII) Develop a public awareness component to promote practices to reduce pollution and improve overall water quality, including, but not limited to, the Public Education Techniques for Watershed Management set forth in the WAC4 Report.

**PUBLIC EDUCATION
TECHNIQUES
WATERSHED MANAGEMENT**

METHOD	MOST EFFECTIVE USE	RESULTS
Newsletters	Announce meeting times and dates, update information, list issues to be discussed at upcoming meeting	Public awareness
Newspaper Articles	(same as newsletter) - Provide additional detail about local stories, photos of citizen activities, feature articles provide information about problems and solutions	Public awareness
Demonstration Sites	Exhibit innovative technology, and should be accompanied by signs, brochures or permanent on-site interpretive staff	Public awareness, knowledge, understanding
Printed and Taped Material (e.g., fact sheets, videos)	Explain new technology, describe case studies, provide training information for new employees, outline facts to stakeholders	Public awareness, knowledge, understanding

Signs	Mark watershed boundaries, identify critical areas, promote specific behaviors in specific places, identify cooperators in project, explain adjacent project and its best management practices (BMPs), provide interpretive natural resources information	Public awareness, knowledge, understanding
Meetings	Share information, plan actions, evaluate process	Public awareness, knowledge, understanding, desire/ability to act
Field trips	Observe the natural resources to be protected, view installed and functioning best management practices (BMPs), learn how BMPs operate, monitor BMPs for assessment or compliance	Public awareness, knowledge, understanding, desire/ability to act
On-site Inspections	Identify problems, recommend corrective actions, evaluate effectiveness of pollution controls, identify noncompliant stakeholders, educate individuals	Action
Training	Provide new skills to stakeholders	Action
Technical Assistance	Identify problems, recommend solutions, assist with installation of BMPs, educate individuals, evaluate effectiveness of solutions	Understanding, desire/ability to act, action

Source: Terrene Institute, Clean Water In Your Watershed: A Citizen's Guide to Watershed Protection, 1991

Ayes: Lucas, Potok, Tafur, Murphy

Nays: None

Absent: Waitt