

Parks & Environment Meeting Agenda



800 Michaelian Office Bldg.
148 Martine Avenue, 8th Floor
White Plains, NY 10601
www.westchesterlegislators.com

Committee Chair: Erika Pierce

Monday, March 2, 2026

10:00 AM

Committee Room

Joint with B&A and LIT

CALL TO ORDER

Please note: Meetings of the Board of Legislators and its committees are held at the Michaelian Office Building, 148 Martine Avenue, 8th Floor, White Plains, New York, 10601, and livestreamed via the WebEx video conferencing system. Legislators may participate in person or via Webex. Members of the public may attend meetings in person at any of its locations, or view the meeting and its video recording online on the Westchester County Legislature's website: <https://westchestercountyny.legistar.com/>. This website also provides the links to documents to be discussed at a given meeting.

MINUTES APPROVAL

Monday, February 9, 2026 at 10:00 a.m.

I. ITEMS FOR DISCUSSION

1. [2026-14](#) ACT-First Amendment-IMA-NYCDEP-Watershed

AN ACT authorizing the County of Westchester to enter into a first amendment to an intermunicipal agreement with the New York City Department of Environmental Protection for the delegation to the County of Westchester, the administration and enforcement of Section 18-38 of Subchapter G of New York City's "Rules and Regulations for the Protection from Contamination, Degradation and Pollution of the New York City Water Supply and its sources", whereby the County will review and issue written determinations for all new, altered, modified or remediated subsurface sewage treatment systems located in the portion of the watershed of the New York City water supply situated within Westchester County in order to extend the termination date from December 30, 2025 to December 30, 2026.

**COMMITTEE REFERRAL: COMMITTEES ON BUDGET & APPROPRIATIONS,
INFRASTRUCTURE & HOUSING, HEALTH AND PARKS & ENVIRONMENT**

Joint with B&A, I&H and Health committees

Guest: Law Dept.: Associate County Attorney Lynne Colavita; Health Dept.: Deputy Commissioner Christopher Ericson and First Deputy Renee Recchia

2. [2026-79](#) Act - DEF/EPA Consent Agreement

AN ACT authorizing the Commissioner of the Department of Environmental Facilities to Enter Into a Consent Agreement and Final Order with the U.S. Environmental Protection Agency to settle a Civil Administrative Proceeding entitled In the Matter of Westchester County Department of Environmental Facilities Brockway Place Transfer Station, 75 Brockway Place, White Plains, NY 10601 SPIDES Permit No. NYR00C354.

***COMMITTEE REFERRAL: COMMITTEES ON BUDGET & APPROPRIATIONS,
LITIGATION AND PARKS & ENVIRONMENT***

Joint with B&A and LIT committees

Guests: Dept. of Environmental Facilities: Commissioner Vincent Kopicki, First Deputy Commissioner Louis Vetrone, and Assistant Commissioner Melissa Rotini

II. OTHER BUSINESS**III. RECEIVE & FILE****ADJOURNMENT**



Kenneth W. Jenkins
Westchester County Executive

January 15, 2026

Westchester County Board of Legislators
800 Michaelian Office Building
White Plains, New York 10601

Dear Members of the Board of Legislators:

Transmitted herewith for your consideration is a proposed Act, which, if adopted by your Honorable Board, would authorize the County of Westchester (the "County") to enter into an amendment ("First Amendment") to an intermunicipal agreement (the "IMA") with the New York City Department of Environmental Protection (the "NYCDEP"), pursuant to which the NYCDEP delegates to the County, acting by and through its Department of Health ("DOH"), the administration and enforcement of Section 18-38 of Subchapter G of New York City's "Rules and Regulations for the Protection from Contamination, Degradation and Pollution of the New York City Water Supply and Its Sources". DOH will continue to review and issue written determinations for all new, altered, modified, or remediated subsurface sewage treatment systems ("SSTSS") located in the portion of the watershed of the New York City water supply situated within Westchester County. The First Amendment will extend the termination date of the IMA from December 30, 2025 to December 30, 2026. All of the remaining terms and conditions of the IMA, as renewed, will remain the same and in full force and effect upon the parties.

Your Honorable Board, by Act No. 341-2016, on November 14, 2016, authorized the County to enter into the IMA which was subsequently executed. The IMA provides for one five year renewal by both parties. A copy of the IMA is annexed hereto for your Honorable Board's reference. Thereafter, your Honorable Board, by Act No. 29-2021 on March 8, 2021, authorized the County to renew the IMA for one five year period thereby extending the termination date from December 30, 2021 to December 30, 2025.

The County and NYCDEP desire to extend the termination date of the IMA, as renewed, from December 30, 2025 to December 30, 2026, in order to allow for the parties to negotiate the terms and conditions of a new successor intermunicipal agreement.

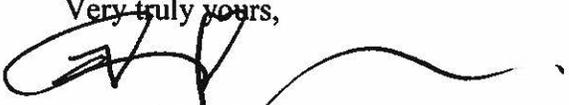
Office of the County Executive

Michaelian Office Building
148 Martine Avenue
White Plains, New York 10601

Email: CE@westchestercountyny.gov
Telephone: (914)995-2900

I believe it is in the County's best interests to enter into a First Amendment to the IMA in order to extend the termination date from December 30, 2025 to December 30, 2026. Accordingly, I recommend and urge your Honorable Board to adopt the proposed Act.

Very truly yours,

A handwritten signature in black ink, appearing to read 'KWJ', with a long, sweeping horizontal flourish extending to the right.

Kenneth W. Jenkins
Westchester County Executive

KWJ/SA/LAC
Attachments

**HONORABLE BOARD OF LEGISLATORS
THE COUNTY OF WESTCHESTER**

Your Committee is in receipt of a communication from the County Executive recommending approval of an Act that would, if approved, authorize the County of Westchester (the "County") to enter into an amendment ("First Amendment") to an intermunicipal agreement (the "IMA") with the New York City Department of Environmental Protection (the "NYCDEP"), pursuant to which the NYCDEP delegates to the County, acting by and through its Department of Health ("DOH"), the administration and enforcement of Section 18-38 of Subchapter G of New York City's "Rules and Regulations for the Protection from Contamination, Degradation and Pollution of the New York City Water Supply and Its Sources". DOH will continue to review and issue written determinations for all new, altered, modified, or remediated subsurface sewage treatment systems ("SSTs") located in the portion of the watershed of the New York City water supply situated within Westchester County. The First Amendment will extend the termination date of the IMA from December 30, 2025 to December 30, 2026. All of the remaining terms and conditions of the IMA, as renewed, will remain the same and in full force and effect upon the parties.

Your Honorable Board, on November 14, 2016, by Act No. 341-2016, authorized the County to enter into the IMA which was subsequently executed. The IMA provides for one five year renewal by both parties. A copy of the IMA is annexed hereto for your Honorable Board's reference. Thereafter, your Honorable Board, by Act No. 29-2021 on March 8, 2021, authorized the County to renew the IMA for one five year period thereby extending the termination date from December 30, 2021 to December 30, 2025.

Your Committee is advised that the County and NYCDEP desire to extend the termination date of the IMA, as renewed, from December 30, 2025 to December 30, 2026 in order to allow for the parties to negotiate the terms and conditions of a new successor intermunicipal agreement.

The Department of Planning ("Planning") has advised that that the proposed First Amendment does not meet the definition of an action under New York State Environmental Quality Review Act and its implementing regulations 6 NYCRR Part 617. As such, no environmental review is required. Your Committee has reviewed to the memorandum from

Planning dated January 9, 2026, which is on file with the Clerk of your Honorable Board and concurs with this recommendation.

Your Committee has been advised that the adoption of the proposed Act requires an affirmative vote of a majority of the members of your Honorable Board. After due consideration, your Committee recommends the adoption of the proposed Act.

Dated: _____, 2026
White Plains, New York

FISCAL IMPACT STATEMENT

SUBJECT: NYCDEP Watershed Delegation NO FISCAL IMPACT PROJECTED

OPERATING BUDGET IMPACT

To Be Completed by Submitting Department and Reviewed by Budget

SECTION A - FUND

GENERAL FUND AIRPORT FUND SPECIAL DISTRICTS FUND

SECTION B - EXPENSES AND REVENUES

Total Current Year Expense \$ 198,000

Total Current Year Revenue \$ 198,000

Source of Funds (check one): Current Appropriations Transfer of Existing Appropriations

Additional Appropriations Other (explain)

Identify Accounts: 101-27-0010-8600-9216-HSDS

Potential Related Operating Budget Expenses: Annual Amount 198000

Describe: Performance based billing

Potential Related Operating Budget Revenues: Annual Amount 198000

Describe: Performance based billing

Anticipated Savings to County and/or Impact on Department Operations:

Current Year: 198,000 Expense & Revenue

Next Four Years: Contract extension for one year FY 2026

Prepared by: *Sumit*

Title: Director Fiscal Operations

Department: Health

Date: 10/29/2025

Reviewed By: *[Signature]*

Budget Director

Date: 1/13/26

ACT NO. 2026-__

AN ACT authorizing the County of Westchester to enter into a first amendment to an intermunicipal agreement with the New York City Department of Environmental Protection for the delegation to the County of Westchester the administration and enforcement of Section 18-38 of Subchapter G of New York City's "Rules and Regulations for the Protection from Contamination, Degradation and Pollution of the New York City Water Supply and Its Sources", whereby the County will review and issue written determinations for all new, altered, modified, or remediated subsurface sewage treatment systems located in the portion of the watershed of the New York City water supply situated within Westchester County in order to extend the termination date from December 30, 2025 to December 30, 2026.

BE IT ENACTED by the County Board of the County of Westchester, as follows:

Section 1. The County of Westchester (the "County") is hereby authorized to enter into a first amendment to an intermunicipal agreement (the "IMA") with the New York City Department of Environmental Protection (the "NYCDEP"), pursuant to which the NYCDEP delegates to the County, acting by and through its Department of Health ("DOH"), the administration and enforcement of Section 18-38 of Subchapter G of New York City's "Rules and Regulations for the Protection from Contamination, Degradation and Pollution of the New York City Water Supply and Its Sources", whereby DOH will review and issue written determinations for all new, altered, modified, or remediated subsurface sewage treatment systems ("SSTSs") located in the portion of the watershed of the New York City water supply situated within Westchester County, in order to extend the termination date from December 30, 2025 to December 30, 2026.

§2. Except as otherwise specifically provided herein, all other terms and conditions of the IMA shall remain in full force and effect upon the parties.

§3. The County Executive or his authorized designee is hereby authorized to execute all instruments and take all actions reasonably necessary to carry out the purposes of this Act.

§4. This Act shall take effect immediately.



Kenneth W. Jenkins
County Executive

Office of the County Attorney
John M. Nonna
County Attorney

February 6, 2026

Westchester County Board of Legislators
County of Westchester
800 Michaelian Office Building
148 Martine Avenue
White Plains, New York 10601

Re: Legislation authorizing a settlement in *Matter of Westchester County Department of Environmental Facilities, Brockway Place Transfer Station, 75 Brockway Place White Plains, New York 10601, SPDES Permit No. NYR00C354*

Dear Honorable Members of the Board:

Attached for your consideration is an Act which, if adopted by your Honorable Board, would authorize the County Department of Environmental Facilities (“DEF”) to enter into a Consent Agreement & Final Order (“CA/FO”) to settle *In the Matter of Westchester County Department of Environmental Facilities, Brockway Place Transfer Station, 75 Brockway Place White Plains, New York 10601, SPDES [State Pollutant Discharge Elimination System] Permit No. NYR00C354*, United States Environmental Protection Agency (“EPA”), Region 2, Docket No. CWA-02-2026-3301 (the “Proceeding”), for the amount of \$38,000.00.

As you may be aware, DEF, acting by and on behalf of Refuse Disposal District No. 1, operates a municipal solid waste and cardboard recycling transfer station known as the Brockway Place Transfer Station, which is located at 75 Brockway Place in White Plains, New York (the “Site” or the “Facility”). The Facility discharges stormwater associated with industrial activity, which is a “pollutant” within the meaning of Section 502(6) of the Clean Water Act (“CWA”), 33 U.S.C. § 1362(6), via one unpermitted outfall located on the east side of the Site to the East Branch of the Mamaroneck River, via the City of White Plains Municipal Separate Storm Sewer. EPA has issued three previous Administrative Compliance Orders—Docket Nos. CWA-02-2017-3022, CWA-02-2017-3050, and CWA-02-2022-3030—to DEF, in order to address past violations of the SPDES Multi-Sector General Permit (“MSGP”) initially discovered during an EPA Compliance Evaluation Inspection at the Facility on September 28, 2016.

Despite the Facility’s continued implementation of new Best Management Practices, increased street sweeping and cleaning, and the installation of the AbTech Smart Vault System to prevent non-stormwater leachate discharges from the Facility, stormwater sampling results from the Facility continue to be consistently above the benchmark cutoff concentrations specified in the MSGP. The Facility has experienced recurring exceedances of the benchmark cut-off concentrations for

Office of the County Executive
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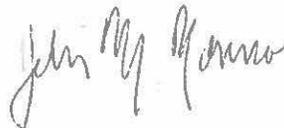
Telephone: (914) 995-2900

Aluminum, Cadmium, Chemical Oxygen Demand, Copper, Iron, Lead, Total Suspended Solids, and Zinc.

In light of the above, DEF entered into negotiations with the EPA to address the Site's noncompliance, and these negotiations have resulted in the current proposed settlement. The essential terms of the CA/FO are as follows: DEF admits the jurisdictional and factual allegations of the CA/FO; DEF waives its right to contest the allegations, at a judicial or administrative hearing, or to appeal the CA/FO; and DEF consents to the payment of a civil penalty in the amount of \$38,000.00 to address the above-described violations. Importantly, the proposed civil penalty is the lowest possible amount under the circumstances, and the CA/FO includes language detailing the DEF's compliance efforts to date. DEF has recommended approval of the settlement.

After a review of the facts and circumstances, I concur with DEF and believe that it is in the best interests of the County to enter into the CA/FO to settle this Proceeding. I therefore recommend passage of the accompanying Act.

Very truly yours,

A handwritten signature in cursive script, appearing to read "John M. Nonna".

JOHN M. NONNA
Westchester County Attorney

JMN/scm

BOARD OF LEGISLATORS
COUNTY OF WESTCHESTER

Your Committee is in receipt of a proposed Act which, if adopted by your Honorable Board, would authorize the County Department of Environmental Facilities (“DEF”) to enter into a Consent Agreement & Final Order (“CA/FO”) to settle *In the Matter of Westchester County Department of Environmental Facilities, Brockway Place Transfer Station, 75 Brockway Place White Plains, New York 10601, SPDES [State Pollutant Discharge Elimination System] Permit No. NYR00C354, United States Environmental Protection Agency (“EPA”), Region 2, Docket No. CWA-02-2026-3301 (the “Proceeding”), for the amount of \$38,000.00.*

Your Committee is informed that DEF, acting by and on behalf of Refuse Disposal District No. 1, operates a municipal solid waste and cardboard recycling transfer station known as the Brockway Place Transfer Station, which is located at 75 Brockway Place in White Plains, New York (the “Site” or the “Facility”). The Facility discharges stormwater associated with industrial activity, which is a “pollutant” within the meaning of Section 502(6) of the Clean Water Act (“CWA”), 33 U.S.C. § 1362(6), via one unpermitted outfall located on the east side of the Site to the East Branch of the Mamaroneck River, via the City of White Plains Municipal Separate Storm Sewer. EPA has issued three previous Administrative Compliance Orders—Docket Nos. CWA-02-2017-3022, CWA-02-2017-3050, and CWA-02-2022-3030—to DEF, in order to address past violations of the SPDES Multi-Sector General Permit (“MSGP”) initially discovered during an EPA Compliance Evaluation Inspection at the Facility on September 28, 2016.

Your Committee is further informed that, despite the Facility’s continued implementation of new Best Management Practices, increased street sweeping and cleaning, and the installation of the

AbTech Smart Vault System to prevent non-stormwater leachate discharges from the Facility, stormwater sampling results from the Facility continue to be consistently above the benchmark cutoff concentrations specified in the MSGP. The Facility has experienced recurring exceedances of the benchmark cut-off concentrations for Aluminum, Cadmium, Chemical Oxygen Demand, Copper, Iron, Lead, Total Suspended Solids, and Zinc.

Your Committee has been made aware that, in light of the above, DEF entered into negotiations with the EPA to address the Site's noncompliance, and these negotiations have resulted in the current proposed settlement. The essential terms of the CA/FO are as follows: DEF admits the jurisdictional and factual allegations of the CA/FO; DEF waives its right to contest the allegations, at a judicial or administrative hearing, or to appeal the CA/FO; and DEF consents to the payment of a civil penalty in the amount of \$38,000.00 to address the above-described violations. Importantly, the proposed civil penalty is the lowest possible amount under the circumstances, and the CA/FO includes language detailing the DEF's compliance efforts to date.

Your Committee understands that DEF has recommended approval of the settlement, and that the County Attorney concurs in that recommendation.

Your Committee finds, for the foregoing reasons, that this settlement, pursuant to the CA/FO, is prudent and reasonable, and it therefore recommends that the Act authorizing the CA/FO be adopted by this Board.

Dated: White Plains, New York
, 2026

COMMITTEE ON

2026-02-06 - SCM

FISCAL IMPACT STATEMENT

SUBJECT: Brockway Place Transfer NO FISCAL IMPACT PROJECTED

OPERATING BUDGET IMPACT

To Be Completed by Submitting Department and Reviewed by Budget

SECTION A - FUND

GENERAL FUND AIRPORT FUND SPECIAL DISTRICTS FUND

SECTION B - EXPENSES AND REVENUES

Total Current Year Expense \$ 38,000

Total Current Year Revenue _____

Source of Funds (check one): Current Appropriations Transfer of Existing Appropriations

Additional Appropriations Other (explain)

Identify Accounts: 251-60-7500-7500-4380

Potential Related Operating Budget Expenses: Annual Amount 38,000.00

Describe: BOL legislation to have consent agreement with United States Environmental Protection Agency Consent Agreement for the Brockway Place Transfer Station.

Potential Related Operating Budget Revenues: Annual Amount _____

Describe: _____

Anticipated Savings to County and/or Impact on Department Operations:

Current Year: _____

Next Four Years: _____

Prepared by: Sebastian Abraham

Title: Budget Specialist II

Department: Environmental Facilities

Date: February 9, 2026

wo
Reviewed By: 

Budget Director

Date: 2/9/26

AN ACT authorizing the Commissioner of the Department of Environmental Facilities to Enter Into a Consent Agreement and Final Order with the U.S. Environmental Protection Agency to settle a Civil Administrative Proceeding entitled *In the Matter of Westchester County Department of Environmental Facilities Brockway Place Transfer Station, 75 Brockway Place, White Plains, New York 10601 SPIDES Permit No. NYR00C354*

BE IT ENACTED by the County Board of Legislators of the County of Westchester as follows:

Section 1. The County of Westchester Department of Environmental Facilities (“DEF”) is hereby authorized to settle the proceeding entitled *In the Matter of Westchester County Department of Environmental Facilities Brockway Place Transfer Station, 75 Brockway Place, White Plains, New York 10601 SPIDES Permit No. NYR00C354* (the “Proceeding”), pursuant to the following terms: DEF admits the jurisdictional and factual allegations of the proposed Consent Agreement & Final Order in Docket No. CWA-02-2026-3301 (“CA/FO”); DEF waives its right to contest the allegations, at a judicial or administrative hearing, or to appeal the CA/FO; and DEF consents to the payment of a civil penalty in the amount of \$38,000.00.

Section 2. The Commissioner of DEF or the Commissioner’s Designee is hereby authorized to enter into and execute the CA/FO to settle the Proceeding, and to execute and deliver all documents necessary to accomplish the purpose hereof.

Section 3. This Act shall take effect immediately.