



## GOVERNMENT

# New Rochelle Green-Lights Sanitary Sewer Evaluation Study

**Still Unsure of How It Will Be Funded**



By Tiffany R. Jansen

On April 12, the City Council of New Rochelle voted unanimously to authorize a sanitary sewer evaluation study of the New Rochelle Sewer District. Implementing the study is the first requirement of an inter-municipal agreement between Westchester County and the four municipalities that make up the New Rochelle Sewer District - the City of New Rochelle, the Town of Mamaroneck, the Village of Pelham Manor, and the Village of Larchmont.

The inter-municipal agreement follows on the heels of the Environmental Protection Agency's recent consent order on the New York Department of Environmental Conservation (DEC) and the DEC's subsequent consent order on Westchester County.

Its purpose is to facilitate the reduction of sanitary sewage overflow, the discharge of raw or partially treated sewage into the environment. A majority of the discharge occurs en route to treatment plants, through leaks in the sanitary sewer system.

After each flush of the toilet, sewage travels through the lateral, an underground pipeline running from each household to the street. There, it flows into pipes which lead to the main trunk lines that carry the sewage to the treatment plant. Sanitary sewer systems in Westchester County are largely old and poorly maintained. Some communities in the Sound Shore region, have systems dating back as many as 100 years.

Release of sewage from the sanitary sewer is a threat to public health, says Save the Sound's Director of Western Sound Programs Tracy Brown, and the main factor behind beach closings in Westchester County. Much of the raw and undertreated sewage ends up in the Long Island Sound, negatively impacting the marine life, industries, and businesses dependent upon the health of the estuary.

Such leaks also allow for inflow and infiltration, the entrance of unwanted storm and groundwater into



*New Rochelle Wastewater Treatment Plant; Photo by Tiffany R. Jansen*

the sanitary system. This excess water overwhelms treatment plants and causes damage to pipes, resulting in sanitary sewage overflows.

In compliance with a 2008 consent order from the state of New York, the County underwent a 730-day flow monitoring program. During the course of the program, all municipalities within the County exceeded the 150 gallons per capita per day flow rate limit by anywhere from 12-61%.

These, along with several other alleged violations, are itemized in a lawsuit filed last year by Save the Sound against eleven Westchester municipalities, including Mamaroneck, Larchmont, Pelham Manor, and New Rochelle.

The inter-municipal agreement will attempt to address those issues, starting with the sanitary sewer system. As the largest of the four communities involved in the agreement, New Rochelle will bear the bulk of the responsibility.

According to New Rochelle City Manager Chuck Strome, the city is currently handling repairs on an emergency basis, an approach he says is unsustainable. "It's like if you have a house and you have a roof problem and all you do is go up and put a tarp over the leaks. That's not solving the problem," he says. The pending sanitary sewer evaluation would enable the city to address any issues

spring flow meter by the time the study gets underway.

But a more proactive approach to maintaining the sewer system may not be enough to combat sewage pollution. According to a County spokesman, faulty house laterals "play a significant role" in inflow and infiltration.

Laterals are the responsibility of the homeowner, but, as of yet, no laws exist requiring or enforcing regular maintenance. Part of the agreement with the County stipulates the introduction of legislation requiring all private property owners to have lateral lines inspected and repaired prior to changing titles.

The agreement, however, does not require adoption of the legislation. As of press time, the law had been introduced in all four municipalities, but none had adopted it.

Strome questions how effective the legislation would be at correcting the issue if it were to be adopted. "Some people don't sell their house for 25 or 30 years - and they could be the ones with the broken pipes," he says.

At the April 12 council meeting,

Strome briefly mentioned discussion with the County about amending the Westchester County Sewer Act to require that private property owners undergo a certified lateral inspection every five years. "It's a much more consistent way of inspecting those lateral lines," he told the Westchester Guardian in a follow-up interview. The County, Strome reported at the meeting, had expressed a willingness to look into the suggestion.

Based on requests for proposal submitted to the New Rochelle Sewer District, the sanitary sewer evaluation study alone could cost anywhere from \$2.1 to \$3.8 million. And that's just to determine the scope of the work necessary to repair the system.

Tax caps on some of the municipalities severely limit the amount taxes can be raised to cover the astronomical costs. And though New York State just passed a 2016-2017 budget which includes \$200 million for water infrastructure improvement, Strome says that, to the best of his knowledge, the state grant would only fund a quarter of the project.

It doesn't help that sewer system maintenance in each municipality is funded through property taxes. State-owned property, such as hospitals and colleges, are exempt from property tax in the municipality in which they are located, and therefore do not pay to

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utilize the sewer system.

Further complicating things is the multi-jurisdictional system currently in place in Westchester County, where the tributary sewer systems are owned by the municipalities and the trunk system and sewage treatment plants are owned by the County.

The County also operates the sewer districts, which are created, modified, and altered by the Westchester County

Board of Legislators. Residents pay a sewer district tax to the County.

When the last sanitary sewer evaluation study was conducted in Westchester between 1993 and 1994, it was the sewer district that funded the repairs while the County hired the contractors. This time around, the municipalities in each district will be footing the bill.

For communities like the city of

New Rochelle, with its tight budget and strict tax caps, financing such a project may prove extremely difficult. Particularly considering that the city will be responsible for 75% of the total cost.

The city of New Rochelle is of the opinion that the County should take over the municipal portion of the sewer systems and return to the original model where repair costs are

covered by the sewer district tax.

"First off, you get the most bang for your buck because you do the largest amount of work and, secondly, everybody would pay for it," Strome says (because the districts have bonding authority, state-owned property would not be exempt from the sewer fee).

"The local municipality has a responsibility to keep the system it owns in proper repair," a County spokesman said, when asked for

comment. He also pointed to a counter-argument that such an arrangement could mean that some taxpayers may be wind up subsidizing another community.

The County and the four municipalities still have time to sort things out. Construction is anticipated to begin in the New Rochelle Sewer District sometime in 2019, two years after the completion of the sanitary sewer evaluation study.

## Winning Friends and Influencing People....

By Mary Keon

Did NYC Mayor Bill deBlasio walk the line or did he step over it, channeling campaign donations to specific upstate candidates in the 2014 NYS Election?

In May of 2014, NYS Senator Greg Ball (R) 40th, New York Senate District announced that he was moving to Texas and would not be running for re-election, throwing his support behind Yorktown Town Board member, Dr. Terrence Murphy, a local Chiropractor. Hoping for a chance to win a coveted seat for the Democrats, the local Democratic team endorsed Croton resident, Justin Wagner.

If money and manpower were all it takes to win an election in the 40<sup>th</sup> 2014 NYS Senate District Election, Justin Wagner should have won, hands down. Boatloads of money flowed into his campaign in the weeks

before the election while an army of campaign workers from New York went door to door asking residents to vote for Wagoner, even knocking upon the door of Murphy's mother.

Though they had raised less than \$10,000 in the previous ten years, the Putnam Democratic Committee took in more than \$671,000 in donations in October 2014, said Senator Murphy in an April 26, 2016 press conference. The inexplicable influx of cash prompted Murphy and Putnam County Board of Elections Commissioner Anthony G. Scannapieco, Jr., PhD to file a complaint with the NY State Board of Elections. When the election results were in, Murphy had defeated Wagoner, with 46,884 votes to Wagoner's 37,875.

"The results are in and we've come up short in the race for State Senate. I want to first congratulate Terrence Murphy on a hard fought

victory and wish him and his family all the best," said Justin Wagner (D) in his gracious concession speech. "Most importantly, I want to thank the countless number of people who have supported the campaign whether by volunteering, contributing, etc. — there are well over a 1,000 such individuals, and please know how incredibly humbling your support has been. I only wish I could have delivered for you by giving you the victory you worked so hard for."

Who were Wagner's benefactors? As reported by the Daily News, numerous NYC businessmen with projects before NYC Mayor deBlasio's staff made large donations targeted to specific Democratic candidates in key upstate elections, some checks even noting 'as per the Mayor.' Large donations were also made by NYC players to the campaign of Terry Gipson, running against Sue Serrino in the 41<sup>st</sup> NYS District. Serrino also prevailed on Election Day. Though large donations can be made to the County Parties, donors cannot specify that the funds should be used for a specific candidate. Donors reportedly also directed beneficiaries to use the services of favored Ad Agencies.

Did Mayor deBlasio, whose aspirations to higher office are no secret, skirt election laws to influence key upstate elections, endeavoring to re-make Albany with a Democratic majority to facilitate his short and long-term agenda? Under NYS law, individuals are limited to a maximum contribution of \$10,300 in general State elections while the party committees can receive up to \$102,300, to use as they see fit. NYS Senator



NYS Senator Terrence Murphy (40th NYS Senate District) and Putnam County Board of Elections Commissioner Anthony G. Scannapieco, Jr., PhD

Murphy alleges that when the donations to the party were earmarked for just two candidates, election law was violated.

Complaints made to the New York State Board of Elections in 2014 have been quietly investigated and the results finally unveiled on Friday, April 22<sup>nd</sup>. As reported by Ken Lovett in the Daily News, Risa Sugarman, Chief Enforcement Officer for the Board of Elections has referred this case to Manhattan DA Vance and to Preet Bahrara.

"I have determined that reasonable cause exists to believe a violation

warranting criminal prosecution has taken place," wrote Sugarman in a letter to the Election Board's four commissioners on January 4<sup>th</sup>, 2016, according to information leaked to Ken Lovett writing for the Daily News, on April 22<sup>nd</sup>, 2016. "The violations discovered by this investigation can only be described as willful and flagrant," she added.

Though he maintains that no election laws were violated, Mayor deBlasio, has reportedly hired a criminal defense attorney, as have the alleged straw donors.

## LETTER TO THE EDITOR

April 28, 2016

Fellow Citizens:

Mt. Vernon is one of Westchester's many problems. Stop lights are never fixed (especially near exits/entrances). This is a chronic problem (several months going)) where the parkway south junctures with Frederick Place and Hussey Avenues. Our present problem has been going for at least one month plus. Calls to City Hall are worthless. Mt. Vernon, as usual, awaits in disgusted apathetic silence as the Mayor and the City Council battle, arbitrated by a Mr. Lafayette, the local Democratic Westchester

leader (his background is interesting). Is there no end to this "debate"?

Why not allow fewer non-residents (the City Charter spells out residency requirements for City employees) to work in City Hall; is this not understandable? Recently on Channel 12, a non-resident worker was accused of taking a \$10,000 great gratuity for cooperation!

Solution: Circle the city at night with a flashlight to look for an honest person?

Sincerely yours,  
Eugene Allen, MD  
Mount Vernon, NY