



Memorandum  
Department of Health  
10 County Center Road – 2<sup>nd</sup> Floor  
White Plains, N.Y. 10607

**83627**

Date: March 21, 2021

To: Board of Acquisition and Contract

From: Sherlita Amler, M.D.  
Commissioner of Health

Subject: Authority to renew 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"

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Authority is respectfully requested from your Honorable Board for the County of Westchester (the "County") to renew an intermunicipal agreement (the "Agreement") with the New York City Department of Environmental Protection (the "NYCDEP"), pursuant to which the NYCDEP will delegate 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 ("SSTs") located in the portion of the watershed of the New York City water supply situated within Westchester County. The renewal will be for a five year period effective January 1, 2021 and terminating on December 30, 2025.

On November 14, 2016, by Act No. 341-2016, the Westchester County Board of Legislators authorized the County to enter into the Agreement. On December 15, 2016, your Honorable Board authorized the County to enter into the Agreement. The Agreement was subsequently executed with an effective date of January 1, 2016 for a five year period terminating on December 31, 2020. Section 13 (a) of the Agreement allows for one renewal for an additional five year period.

On March 1, 2021, the Westchester County Board of Legislators, by Act No. 29-2021, authorized the County to renew the Agreement for an additional five year period.

The renewal of the Agreement will serve a public purpose by giving DOH authority delegated from NYCDEP to review and issue written determinations for all new, altered, modified, or remediated SSTs located in the portion of the watershed of the New York City water supply situated within Westchester County, and thereby help protect the watershed from pathogens and pollutants that would potentially contribute to water-borne diseases.

The goal and objective of the renewal of the Agreement is to give DOH authority delegated from NYCDEP to review and issue written determinations for all new, altered, modified, or remediated SSTs located in the portion of the watershed of the New York City water supply situated within Westchester County, and thereby help protect the watershed from pathogens and pollutants that would potentially contribute to water-borne diseases.

The goal and objective of the renewal of the Agreement is in the best interests of the County in terms of public health and the environment, as DOH having authority delegated from NYCDEP to review and issue written determinations for all new, altered, modified, or remediated SSTs located in the portion of the watershed of the New York City water supply situated within Westchester County will help protect the watershed from pathogens and pollutants that would potentially contribute to water-borne diseases.

The goal and objective of the renewal of the Agreement will be tracked and monitored by the staff of DOH.

I respectfully recommend the adoption of the attached resolution.

SA/DC/LAC

**RESOLUTION**

Upon a communication from the Commissioner of Health, be it hereby

**RESOLVED**, that the County of Westchester (the “County”) is hereby authorized to renew an intermunicipal agreement (the “Agreement”) with the New York City Department of Environmental Protection (the “NYCDEP”), pursuant to which the NYCDEP will delegate 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 located in the portion of the watershed of the New York City water supply situated within Westchester County, for a five year period effective January 1, 2021 and terminating on December 30, 2025; and be it further

**RESOLVED**, that the County Executive or his duly authorized designee is hereby authorized and empowered to take such actions and to execute and deliver such documents as may be necessary and appropriate to accomplish the purposes hereof.

Account to be Charged/Credited	Fund	Dept	Major Program, Program & Phase or Unit	Object/ Sub-Object	Trust Account	Dollars
	101	27	0010	9216		\$198,000 (FY 2021)
101	27	0010	9216		\$198,000 (FY 2022)	
101	27	0010	9216		\$198,000 (FY 2023)	
101	27	0010	9216		\$198,000 (FY 2024)	
101	27	0010	9216		\$198,000 (FY 2025)	

Budget Funding Year(s) (must match resolution) 2021-2025 Start Date 01/01/2021 End Date 12/30/2025

Funding Source Tax Dollars \_\_\_\_\_  
 State Aid \_\_\_\_\_  
**\$990,000** Federal Aid \_\_\_\_\_  
 (must match resolution) Other Revenue from NYCDEP