

Town of Poughkeepsie
Stormwater Management Program
2009-2010 Annual Report
SPDES Permit Number: NYR20A198

Prepared for:

Town of Poughkeepsie
Town Board

Dated May 28, 2010

Prepared by:



MORRIS ASSOCIATES
ENGINEERING CONSULTANTS, PLLC

9 Elks Lane, Poughkeepsie, New York 12601 Tel: (845) 454-3411 Fax: (845) 473-1962
64 Green Street, Suite 1, Hudson, New York 12534 Tel: (518) 828-2300 Fax: (518) 828-3963

MS4 Annual Report Cover Page

MCC form for period ending March 9, 2010

This cover page must be completed by the report preparer.
Joint reports require only one cover page.

SPDES ID
N Y R 2 0 A 1 9 8

Choose one:

- This report is being submitted on behalf of an individual MS4.

Fill in SPDES ID in upper right hand corner.

Name of MS4

T O W N O F P O U G H K E E P S I E

OR

- This report is being submitted on behalf of a Single Entity

(Per Part II.E of GP-0-10-002)

Name of Single Entity

[Empty grid for Name of Single Entity]

OR

- This is a joint report being submitted on behalf of a coalition.

Provide SPDES ID of each permitted MS4 included in this report. Use page 2 if needed.

Name of Coalition

[Three empty grid rows for Name of Coalition]

SPDES ID
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MS4 Municipal Compliance Certification(MCC) Form

MCC form for period ending March 9, 2010

Name of MS4 TOWN OF POUGHKEEPSIE

SPDES ID
N Y R 2 0 A 1 9 8

Section 2 - Contact Information

Important Instructions - Please Read

Contact information must be provided for each of the following positions as indicated below:

1. Principal Executive Officer, Chief Elected Official or other qualified individual (per GP-0-08-002 Part VI.J).
2. Duly Authorized Representative (Information for this contact must only be submitted if a Duly Authorized Representative is signing this form)
3. The Local Stormwater Public Contact (required per GP-0-08-002 Part VII.A.2.c & Part VIII.A.2.c).
4. The Stormwater Management Program (SWMP) Coordinator (Individual responsible for coordination/implementation of SWMP).
5. Report Preparer (Consultants may provide company name in the space provided).

A separate sheet must be submitted for each position listed above unless more than one position is filled by the same individual. If one individual fills multiple roles, provide the contact information once and check all positions that apply to that individual.

If a new Duly Authorized Representative is signing this report, their contact information must be provided and a signature authorization form, signed by the Principal Executive Officer or Chief Elected Official must be attached.

For each contact, select all that apply:

- Principal Executive Officer/Chief Elected Official
- Duly Authorized Representative
- Local Stormwater Public Contact
- Stormwater Management Program (SWMP) Coordinator
- Report Preparer

First Name: P A T R I C I A MI: Last Name: M Y E R S

Title: S U P E R V I S O R

Address: O N E O V E R O C K E R R O A D

City: P O U G H K E E P S I E State: N Y Zip: 1 2 6 0 3 -

eMail: P M Y E R S @ T O W N O F P O U G H K E E P S I E - N Y . G O V

Phone: (8 4 5) 4 8 5 - 3 6 0 7 County: D U T C H E S S

add sh 2

MS4 Municipal Compliance Certification(MCC) Form

MCC form for period ending March 9, 2010

Name of MS4 TOWN OF POUGHKEEPSIE

SPDES ID
N Y R 2 0 A 1 9 8

Section 2 - Contact Information

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For each contact, select all that apply:

- Principal Executive Officer/Chief Elected Official
- Duly Authorized Representative
- Local Stormwater Public Contact
- Stormwater Management Program (SWMP) Coordinator
- Report Preparer

First Name: E R I C MI: Last Name: H O L L M A N

Title: P L A N N E R

Address: O N E O V E R O C K E R R O A D

City: P O U G H K E E P S I E State: N Y Zip: 1 2 6 0 3 -

eMail: E H O L L M A N @ T O W N O F P O U G H K E E P S I E - N Y . G O V

Phone: (8 4 5) 4 8 5 - 3 6 5 7 County: D U T C H E S S

MS4 Municipal Compliance Certification(MCC) Form

MCC form for period ending March 9, 2010

Name of MS4 TOWN OF POUGHKEEPSIE

SPDES ID
N Y R 2 0 A 1 9 8

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Contact information must be provided for each of the following positions as indicated below:

1. Principal Executive Officer, Chief Elected Official or other qualified individual (per GP-0-08-002 Part VI.J).
2. Duly Authorized Representative (Information for this contact must only be submitted if a Duly Authorized Representative is signing this form)
3. The Local Stormwater Public Contact (required per GP-0-08-002 Part VII.A.2.c & Part VIII.A.2.c).
4. The Stormwater Management Program (SWMP) Coordinator (Individual responsible for coordination/implementation of SWMP).
5. Report Preparer (Consultants may provide company name in the space provided).

A separate sheet must be submitted for each position listed above unless more than one position is filled by the same individual. If one individual fills multiple roles, provide the contact information once and check all positions that apply to that individual.

If a new Duly Authorized Representative is signing this report, their contact information must be provided and a signature authorization form, signed by the Principal Executive Officer or Chief Elected Official must be attached.

For each contact, select all that apply:

- Principal Executive Officer/Chief Elected Official
- Duly Authorized Representative
- Local Stormwater Public Contact
- Stormwater Management Program (SWMP) Coordinator
- Report Preparer

First Name JOSEPH MI P Last Name DENNIS

Title SENIOR ENGINEER

Address 9 ELKS LANE

City P O U G H K E E P S I E State NY Zip 1 2 6 0 1 -

eMail J D E N N I S @ M O R R I S E N G I N E E R S . C O M

Phone (8 4 5) 4 5 4 - 3 4 1 1 County D U T C H E S S

MS4 Municipal Compliance Certification (MCC) Form

MCC form for period ending March 9, 2010

Name of MS4 TOWN OF POUGHKEEPSIE

SPDES ID
N Y R 2 0 A 1 9 8

Section 3 - Partner Information

Did your MS4 work with partners/coalition to complete some or all permit requirements during this reporting period?
 Yes No

If Yes, complete information below.

Submit a separate sheet for each partner. Information provided in other formats will not be accepted. If your MS4 cooperated with a coalition, submit one sheet with the name of the coalition. It is not necessary to include a separate sheet for each MS4 in the coalition.

If No, proceed to Section 4 - Certification Statement.

Partner/Coalition Name

D U T C H E S S C O U N T Y M S 4 C O O R D I N A T I O N

Partner/Coalition Name (con't.)

C O M M I T T E E SPDES Partner ID - If applicable
N Y R 2 0

Address

2 7 1 5 R T E 4 4 , S U I T E 3

City

M I L L B R O O K State Zip
N Y 1 2 5 4 5 -

eMail

E D . H O X S I E @ N Y . N A C D N E T . N E T

Phone

(8 4 5) 6 7 7 - 8 0 1 1

Legally Binding Agreement in accordance with GP-0-08-002 Part IV.G.? Yes No

What tasks/responsibilities are shared with this partner (e.g. MM1 School Programs or Multiple Tasks)?

- MM1 B R O C H U R E S - M U L T I P L E T A S K S
- MM2 M U L T I P L E T A S K S
- MM3 M A P P I N G - M U L T I P L E T A S K S
- MM4 T R A I N I N G - M U L T I P L E T A S K S
- MM5 M U L T I P L E T A S K S
- MM6 P O L L U T I O N P R E V E N T I O N

Additional tasks/responsibilities

- Watershed Improvement Strategy Best Management Practices required for MS4s in impaired watersheds included in GP-0-08-002 Part IX.

MS4 Annual Report Form

This report is being submitted for the reporting period ending March 9,

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If submitting this form as part of a joint report on behalf of a coalition leave SPDES ID blank.

Name of MS4/Coalition

T	O	W	N	O	F	P	O	U	G	H	K	E	E	P	S	I	E
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SPDES ID

N	Y	R	2	0	A	1	9	8
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3. What strategies did your MS4/Coalition use to achieve education and outreach goals during this reporting period? Check all that apply:

- Construction Site Operators Trained
- Direct Mailings
- Kiosks or Other Displays
- List-Serves
- Mailing List
- Newspaper Ads or Articles
- Public Events/Presentations
- School Program
- TV Spot/Program
- Printed Materials:

# Trained			2	3	5	
# Mailings			3	6	8	
# Locations			1	0		
# In List			1	0	9	
# In List						
# Days Run			1	4		
# Attendees			6	0	0	
# Attendees						
# Days Run			2	8		
Total # Distributed			1	5	0	0

Locations (e.g. libraries, town offices, kiosks)

D	U	T	C	H	E	S	S	F	A	I	R	K	I	O	S	K	S
T	O	W	N	P	L	A	N	N	I	N	G	O	F	F	I	C	E
T	O	W	N	M	E	E	T	I	N	G	L	O	B	B	Y		
A	D	A	M	S	S	P	R	I	N	G	S	H	O	W			

Other:

(5)	R	A	D	I	O	I	N	T	E	R	V	I	E	W	S
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Web Page: Provide specific web addresses - not home page. Continue on next page if additional space is needed.

URL

w	w	.	d	u	t	c	h	e	s	s	w	c	d	.	o	r	g	/	s	t	o	r	m	w	a	t	e	r
.	h	t	m																									

URL

w	w	.	d	u	t	c	h	e	s	s	w	a	t	e	r	s	h	e	d	s	.	o	r	g				

MS4 Annual Report Form

This report is being submitted for the reporting period ending March 9, 2010

If submitting this form as part of a joint report on behalf of a coalition leave SPDES ID blank.

Name of MS4/Coalition

TOWN OF POUGHKEEPSIE

SPDES ID

NYR20A198

3. Web Page cont.: Provide specific web addresses - not home page.

URL

www.dutchesswam.com

URL

http://www.dec.ny.gov/chemical/8468.html

URL

http://cfpub.epa.gov/npdes/home.cfm?program_id=6

URL

http://www.townofpoughkeepsie.com/planning/stormwater/stormwater_information.htm

URL

URL

URL

MS4 Annual Report Form

This report is being submitted for the reporting period ending March 9,

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If submitting this form as part of a joint report on behalf of a coalition leave SPDES ID blank.

Name of MS4/Coalition

TOWN OF POUGHKEEPSIE

SPDES ID

N	Y	R	2	0	A	1	9	8
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4. Evaluating Progress Toward Measurable Goals MCM 1

Use this page to report on your progress and project plans toward achieving measurable goals identified in your Stormwater Management Program Plan (SWMP), including requirements in Part III.C.1. Submit additional pages as needed.

A. Briefly summarize the Measurable Goal identified in the SWMP in this reporting period.

- Storm Drain Markers to be installed
- Brochures to be maintained "in stock" at Town Hall

B. Briefly summarize the observations that indicated the overall effectiveness of this Measurable Goal.

- Volunteers installed 75 storm drain markers on catch basins within the Fall Kill Creek and Wappinger Lake watersheds.
 - Approximately 175 Brochures were procured and displayed or distributed by various Town departments.
- At least 6 separate notices were sent to stakeholders over the reporting period. Examples include soliciting comments to annual reports, municipal code updates, and information on training dates.

- Town website was updated with additional links or notices throughout the year with 7 new postings added.

C. How many times was this observation measured or evaluated in this reporting period?

		1	4
--	--	---	---

(ex.: samples/participants/events)

D. Has your MS4 made progress toward this Measurable Goal during this reporting period?

Yes No

E. Is your MS4 on schedule to meet the deadline set forth in the SWMP?

Yes No

F. Briefly summarize the stormwater activities planned to meet the goals of this MCM during the next reporting cycle (including an implementation schedule).

- Evaluate past educational information/updates in coordination with Dutchess County Soil & Water
- Re-assess current target audience
- Develop new target audience
- Direct mailings in tax bills related to outreach or survey

MS4 Annual Report Form

This report is being submitted for the reporting period ending March 9, 2010
If submitting this form as part of a joint report on behalf of a coalition leave SPDES ID blank.

Name of MS4/Coalition

SPDES ID

N	Y	R	2	0	A	1	9	8
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2. URL(s) con't.:

Please provide specific address(es) where notice(s) can be accessed - not home page.

URL

h	t	t	p	:	/	/	w	w	.	t	o	w	n	o	f	p	o	u	g	h	k	e	e	p	s	i	e	.	c	o	
m	/	p	l	a	n	n	i	n	g	/	s	t	o	r	m	w	a	t	e	r	/	s	t	o	r	m	w	a	t	e	r
i	n	f	o	r	m	a	t	i	o	n	.	h	t	m																	

URL

URL

URL

URL

URL

URL

MS4 Annual Report Form

This report is being submitted for the reporting period ending March 9, 2010

If submitting this form as part of a joint report on behalf of a coalition leave SPDES ID blank.

Name of MS4/Coalition: TOWN OF POUGHKEEPSIE

SPDES ID: NYR20A198

3. Where can the public access copies of this annual report, Stormwater Management Program SWMP) Plan and submit comments on those documents?

Enter address/contact info and select radio button to indicate which document is available and whether comments may be submitted at that location. Submit additional pages as needed.

MS4/Coalition Office Annual Report SWMP Plan Comments

Department: TOWN PLANNING DEPT

Address: ONE OVEROCKER ROAD

City: POUGHKEEPSIE NY Zip: 12603

Phone: (845) 485-3658

Library Annual Report SWMP Plan Comments

Address: [Empty]

City: [Empty] Zip: [Empty]

Phone: ([Empty]) [Empty] - [Empty]

Other Annual Report SWMP Plan Comments

Address: [Empty]

City: [Empty] Zip: [Empty]

Phone: ([Empty]) [Empty] - [Empty]

Web Page URL: Annual Report SWMP Plan Comments

http://www.townofpoughkeepsie.com/planning/stormwater/stormwater_information.htm

Please provide specific address of page where report can be accessed - not home page.

eMail Comments

ehollman@townofpoughkeepsie-ny.gov

MS4 Annual Report Form

This report is being submitted for the reporting period ending March 9, 2 0 1 0

If submitting this form as part of a joint report on behalf of a coalition leave SPDES ID blank.

Name of MS4/Coalition: TOWN OF POUGHKEEPSIE

SPDES ID
N Y R 2 0 A 1 9 8

4.a. If this report was made available on the internet, what date was it posted?

Leave blank if this report was not posted on the internet.

0 5 / 0 6 / 2 0 1 0

4.b. For how many days was/will this report be posted?

1 4

If submitting a report for single MS4, answer 5.a.. If submitting a joint report, answer 5.b..

5.a. Was an Annual Report public meeting held in this reporting period?

Yes No

If Yes, what was the date of the meeting?

0 5 / 1 9 / 2 0 1 0

If No, is one planned?

Yes No

5.b. Was an Annual Report public meeting held for all MS4s contributing to this report during this reporting period?

N/A Yes No

If No, is one planned for each?

Yes No

6. Were comments received during this reporting period?

Yes No

If Yes, attach comments, responses and changes made to SWMP in response to comments to this report.

MS4 Annual Report Form

This report is being submitted for the reporting period ending March 9,

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If submitting this form as part of a joint report on behalf of a coalition leave SPDES ID blank.

Name of MS4/Coalition

TOWN OF POUGHKEEPSIE

SPDES ID

N	Y	R	2	0	A	1	9	8
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7. Evaluating Progress Toward Measurable Goals MCM 2

Use this page to report on your progress and project plans toward achieving measurable goals identified in your Stormwater Management Program Plan (SWMPP), including requirements in Part III.C.1. Submit additional pages as needed.

A. Briefly summarize the Measurable Goal identified in the SWMPP in this reporting period.

- Public outreach via Dutchess "WAM" and Creek Week events.
- Continue and expand use of Public Access Channel for increased public awareness of activities/ events.
- Improve and enhance Town website for distribution of notices to promote public awareness.

B. Briefly summarize the observations that indicated the overall effectiveness of this Measurable Goal.

- Approximately 1200 people attended 35 "WAM" events.
- The notice regarding "Creek Week" activities aired as a slide multiple times on a daily basis from mid May through end of July 2009 for 75 consecutive days.
- Useful links were added or refreshed throughout the year to keep the website current. Seven new postings were included during the reporting period.

C. How many times was this observation measured or evaluated in this reporting period?

		1	2
--	--	---	---

(ex.: samples/participants/events)

D. Has your MS4 made progress toward this measurable goal during this reporting period?

Yes No

E. Is your MS4 on schedule to meet the deadline set forth in the SWMPP?

Yes No

F. Briefly summarize the stormwater activities planned to meet the goals of this MCM during the next reporting cycle (including an implementation schedule).

- Continue to support Dutchess WAM and other watershed groups in the community.
- Continue to use Cablevision channel for broadcast of Town Board and Planning Board meetings.
- Continue to enhance content and accessibility of Town website.
- Consider participation in a web-based consortium of other municipalities (e.g. Digital Towpath).

5820169292

MS4 Annual Report Form

This report is being submitted for the reporting period ending March 9, 2010

If submitting this form as part of a joint report on behalf of a coalition leave SPDES ID blank.

Name of MS4/Coalition: TOWN OF POUGHKEEPSIE

SPDES ID: N Y R 2 0 A 1 9 8

8. URL(s) con't.:

Please provide specific address of page where map(s) can be accessed - not home page

URL grid (3 rows)

URL grid (3 rows)

URL grid (3 rows)

URL grid (3 rows)

URL grid (3 rows)

9. Has an IDDE law been adopted for each traditional MS4 and/or have IDDE procedures been approved for all non-traditional MS4s contributing to this report? Yes No

10. If Yes, has every traditional MS4 contributing to this report certified that this law is equivalent to the NYS Model IDDE Law? Yes No NT

11. What percent of staff in relevant positions and departments has received IDDE training? 0 %

MS4 Annual Report Form

This report is being submitted for the reporting period ending March 9,

2	0	1	0
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If submitting this form as part of a joint report on behalf of a coalition leave SPDES ID blank.

Name of MS4/Coalition

TOWN OF POUGHKEEPSIE

SPDES ID

N	Y	R	2	0	A	1	9	8
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12. Evaluating Progress Toward Measurable Goals MCM 3

Use this page to report on your progress and project plans toward achieving measurable goals identified in your Stormwater Management Program Plan (SWMP), including requirements in Part III.C.1. Submit additional pages as needed.

A. Briefly summarize the Measurable Goal identified in the SWMP in this reporting period.

- | |
|--|
| -Conduct a minimum 20% of outfall inspections in dry weather conditions.
-Complete outfall mapping to include preliminary sewershed boundaries as per GP-0-08-02. |
|--|

B. Briefly summarize the observations that indicated the overall effectiveness of this Measurable Goal.

- | |
|--|
| - This goal for outfall inspections was exceeded as 30% of outfalls were inspected.
- The Town has an up to date outfall map that depicts 600+ outfalls and corresponding drainage areas. |
|--|

C. How many times was this observation measured or evaluated in this reporting period?

		2	1
--	--	---	---

(ex.: samples/participants/events)

D. Has your MS4 made progress toward this measurable goal during this reporting period?

Yes No

E. Is your MS4 on schedule to meet the deadline set forth in the SWMP?

Yes No

F. Briefly summarize the stormwater activities planned to meet the goals of this MCM during the next reporting cycle (including an implementation schedule).

- | |
|---|
| - The primary outfall inspector will receive training for IDDE by Fall 2010.
- The inspector will keep standardized records of inspections by May 2010.
- Produce a link on Town website to outfall/sewershed map by May 2010.
A total of 5 Town employees will receive IDDE training by March 2011. |
|---|

MS4 Annual Report Form

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 If submitting this form as part of a joint report on behalf of a coalition leave SPDES ID blank.

Name of MS4/Coalition

T	O	W	N	O	F	P	O	U	G	H	K	E	E	P	S	I	E
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SPDES ID

N	Y	R	2	0	A	1	9	8
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Minimum Control Measures 4 and 5.
Construction Site and Post-Construction Control

The information in this section is being reported (check one):

- On behalf of an individual MS4
 On behalf of a coalition

How many MS4s contributed to this report?

--	--	--

1a. Has each MS4 contributing to this report adopted a law, ordinance or other regulatory mechanism that provides equivalent protection to the NYS SPDES General Permit for Stormwater Discharges from Construction Activities? Yes No

1b. Has each Town, City and/or Village contributing to this report documented that the law is equivalent to a NYSDEC Sample Local Law for Stormwater Management and Erosion and Sediment Control through either an attorney certification or using the NYSDEC Gap Analysis Workbook? Yes No NT

If Yes, Towns, Cities and Villages provide date of equivalent NYS Sample Local Law.

09/2004 03/2006 NT

2. Does your MS4/Coalition have a SWPPP review procedure in place? Yes No

3. How many Construction Stormwater Pollution Prevention Plans (SWPPPs) have been reviewed in this reporting period?

	1	5
--	---	---

4. Does your MS4/Coalition have a mechanism for receipt and consideration of public comments related to construction SWPPPs? Yes No NT

If Yes, how many public comments were received during this reporting period?

	8	0
--	---	---

5. Does your MS4/Coalition provide education and training for contractors about the local SWPPP process? Yes No *See comment below

*Some comments received; however due to nature of comments most verbal and a few written, the total amount is only an estimate.

6. Identify which of the following types of enforcement actions you used during the reporting period for construction activities, indicate the number of actions, or note those for which you do not have authority:

- Notices of Violation #

			2	1
--	--	--	---	---

 No Authority
- Stop Work Orders #

			1	1
--	--	--	---	---

 No Authority
- Criminal Actions #

--	--	--	--	--

 No Authority
- Termination of Contracts #

--	--	--	--	--

 No Authority
- Administrative Fines #

--	--	--	--	--

 No Authority
- Civil Penalties #

--	--	--	--	--

 No Authority
- Administrative Orders #

--	--	--	--	--

 No Authority
- Enforcement Actions or Sanctions #

--	--	--	--	--
- Other (Order to Remedy) #

			1	1
--	--	--	---	---

 No Authority

MS4 Annual Report Form

This report is being submitted for the reporting period ending March 9,

2	0	1	0
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If submitting this form as part of a joint report on behalf of a coalition leave SPDES ID blank.

Name of MS4/Coalition:

TOWN OF POUGHKEEPSIE

SPDES ID

N	Y	R	2	0	A	1	9	8
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Minimum Control Measure 4. Construction Site Stormwater Runoff Control

The information in this section is being reported (check one):

- On behalf of an individual MS4
- On behalf of a coalition

How many MS4s contributed to this report?

--	--	--

1. How many construction projects have been authorized for disturbances of one acre or more during this reporting period?

		7
--	--	---

2. How many construction projects disturbing at least one acre were active in your jurisdiction during this reporting period?

	1	3
--	---	---

3. What percent of active construction sites were inspected during this reporting period? NT

1	0	0
---	---	---

 %

4. What percent of active construction sites were inspected more than once? NT

1	0	0
---	---	---

 %

5. Do all inspectors working on behalf of the MS4s contributing to this report use the NYS Construction Stormwater Inspection Manual? Yes No NT

6. Does your MS4/Coalition provide public access to Stormwater Pollution Prevention Plans (SWPPPs) of construction projects that are subject to MS4 review and approval? Yes No NT

If your MS4 is Non-Traditional, are SWPPPs of construction projects made available for public review? Yes No

If Yes, use the following page to identify location(s) where SWPPPs can be accessed.

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Name of MS4/Coalition: TOWN OF POUGHKEEPSIE

SPDES ID
N Y R 2 0 A 1 9 8

6. con't.:

Submit additional pages as needed.

● MS4/Coalition Office

Department

T O W N P L A N N I N G D E P A R T M E N T

Address

O N E O V E R O C K E R R O A D

City

P O U G H K E E P S I E

Zip

N Y

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○ Web Page URL(s): Please provide specific address where SWPPPs can be accessed - not home page.

URL

URL

MS4 Annual Report Form

This report is being submitted for the reporting period ending March 9,

2	0	1	0
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If submitting this form as part of a joint report on behalf of a coalition leave SPDES ID blank.

Name of MS4/Coalition

TOWN OF POUGHKEEPSIE

SPDES ID

N	Y	R	2	0	A	1	9	8
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7. Evaluating Progress Toward Measurable Goals MCM 4

Use this page to report on your progress and project plans toward achieving measurable goals identified in your Stormwater Management Program Plan (SWMP), including requirements in Part III.C.1. Submit additional pages as needed.

A. Briefly summarize the Measurable Goal identified in the SWMP in this reporting period.

Five Contractor Training Sessions conducted via DCSWCD

- Notices in regard to available training were issued by local Stormwater Contact to local contractors and design professionals.
- Local Stormwater Law was amended to reflect training and certification requirements as per GP-08-02.

B. Briefly summarize the observations that indicated the overall effectiveness of this Measurable Goal.

- 235 Contractors/Individuals trained in five sessions.
- Revisions to local law were implemented in February 2010.

C. How many times was this observation measured or evaluated in this reporting period?

		1	0
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(ex.: samples/participants/events)

D. Has your MS4 made progress toward this measurable goal during this reporting period?

Yes No

E. Is your MS4 on schedule to meet the deadline set forth in the SWMP?

Yes No

F. Briefly summarize the stormwater activities planned to meet the goals of this MCM during the next reporting cycle (including an implementation schedule).

- Continue to train and document the certification of Contractors throughout the year.
- Certification of local law in comparison with model ordinance by April 2010.

MS4 Annual Report Form

This report is being submitted for the reporting period ending March 9,

2	0	1	0
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If submitting this form as part of a joint report on behalf of a coalition leave SPDES ID blank.

Name of MS4/Coalition

TOWN OF POUGHKEEPSIE

SPDES ID

N	Y	R	2	0	A	1	9	8
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4a. Are the MS4s contributing to this report involved in a regional/watershed wide planning effort?
 Yes No

4b. Does the MS4 have a banking and credit system for stormwater management practices?
 Yes No

4c. Do the SWMP Plans for each MS4 contributing to this report include a protocol for evaluation and approval of banking and credit of alternative siting of a stormwater management practice?
 Yes No

4d. How many stormwater management practices have been implemented as part of this system in this reporting period?

		6
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5. What percent of municipal officials/MS4 staff responsible for program implementation attended training on Low Impace Development (LID), Better Site Design (BSD) and other Green Infrastructure principles in this reporting period?

		5
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 %

MS4 Annual Report Form

This report is being submitted for the reporting period ending March 9,

2	0	1	0
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If submitting this form as part of a joint report on behalf of a coalition leave SPDES ID blank.

Name of MS4/Coalition

TOWN OF POUGHKEEPSIE

SPDES ID

N	Y	R	2	0	A	1	9	8
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6. Evaluating Progress Toward Measurable Goals MCM 5

Use this page to report on your progress and project plans toward achieving measurable goals identified in your Stormwater Management Program Plan (SWMPP), including requirements in Part III.C.1. Submit additional pages as needed.

A. Briefly summarize the Measurable Goal identified in the SWMPP in this reporting period.

- Continue to update database of current public and private practices as new facilities are implemented.
- Notify holders of stormwater maintenance agreements of operation and maintenance responsibilities.
- Develop Funding Mechanism for continuation of review of SWPPPs and on-going construction projects.

B. Briefly summarize the observations that indicated the overall effectiveness of this Measurable Goal.

- The database of practices is up to date as of March 2010.
- Letters from Town Engineering Departments were issued in October 2009 to current list of private developers/institutions that have implemented a stormwater management facility.
- The Town adopted a revised fee structure to obtain both review and inspection fees in order to track compliance with program.

C. How many times was this observation measured or evaluated in this reporting period?

			4
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(ex.: samples/participants/events)

D. Has your MS4 made progress toward this measurable goal during this reporting period?

Yes No

E. Is your MS4 on schedule to meet the deadline set forth in the SWMPP?

Yes No

F. Briefly summarize the stormwater activities planned to meet the goals of this MCM during the next reporting cycle (including an implementation schedule).

- Continue to update database of current public and private practices as new facilities are implemented.
- The inspection of existing facilities will be more effectively documented either via report form or computerized methods.
- It is anticipated that facilities that have been in place for five years will submit an Engineer's inspection report for review by the Town.

MS4 Annual Report Form

This report is being submitted for the reporting period ending March 9,

2	0	1	0
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If submitting this form as part of a joint report on behalf of a coalition leave SPDES ID blank.

Name of MS4/Coalition

TOWN OF POUGHKEEPSIE

SPDES ID

N	Y	R	2	0	A	1	9	8
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Minimum Control Measure 6. Stormwater Management for Municipal Operations

The information in this section is being reported (check one):

- On behalf of an individual MS4
- On behalf of a coalition

How many MS4s contributed to this report?

--	--	--

1. Choose/list each municipal operation/facility that contributes or may potentially contribute Pollutants of Concern to the MS4 system. For each operation/facility indicate whether the operation/facility has been addressed in the MS4's/Coalition's Stormwater Management Program(SWMP) Plan and whether a self-assessment has been performed during the reporting period. A self-assessment is performed to: 1) determine the sources of pollutants potentially generated by the permittee's operations and facilities; 2) evaluate the effectiveness of existing programs and 3) identify the municipal operations and facilities that will be addressed by the pollution prevention and good housekeeping program, if it's not done already.

<u>Operation/Activity/Facility</u>	<u>Addressed in SWMP?</u>		<u>Self-Assessment Operation/Activity/Facility performed within the past 3 years?</u>	
	<input type="radio"/> Yes	<input type="radio"/> No	<input type="radio"/> Yes	<input type="radio"/> No
Street Maintenance.....	<input checked="" type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
Bridge Maintenance.....	<input checked="" type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
Winter Road Maintenance.....	<input checked="" type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
Salt Storage.....	<input checked="" type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
Solid Waste Management.....	<input checked="" type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
New Municipal Construction and Land Disturbance..	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Right of Way Maintenance.....	<input checked="" type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
Marine Operations.....	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
Hydrologic Habitat Modification.....	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Parks and Open Space.....	<input checked="" type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
Municipal Building.....	<input checked="" type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
Stormwater System Maintenance.....	<input checked="" type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
Vehicle and Fleet Maintenance.....	<input checked="" type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
Other.....	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

MS4 Annual Report Form

This report is being submitted for the reporting period ending March 9, 2010

If submitting this form as part of a joint report on behalf of a coalition leave SPDES ID blank.

Name of MS4/Coalition TOWN OF POUGHKEEPSIE

SPDES ID
NYR20A198

2. Provide the following information about municipal operations good housekeeping programs:

- Parking Lots Swept (Number of acres X Number of times swept) # Acres 0
- Streets Swept (Number of miles X Number of times swept) # Miles 286
- Catch Basins Inspected and Cleaned Where Necessary # 500
- Post Construction Control Stormwater Management Practices Inspected and Cleaned Where Necessary # 5
- Phosphorus Applied In Chemical Fertilizer # Lbs. 0
- Nitrogen Applied In Chemical Fertilizer # Lbs. 0
- Pesticide/Herbicide Applied # Acres 0.0
 (Number of acres to which pesticide/herbicide was applied X Number of times applied to the nearest tenth.)

3. How many stormwater management trainings have been provided to municipal employees during this reporting period? 6

4. What was the date of the last training? 02 / 11 / 2010

5. How many municipal employees have been trained in this reporting period? 30

6. What percent of municipal employees in relevant positions and departments receive stormwater management training? 45 %

MS4 Annual Report Form

This report is being submitted for the reporting period ending March 9,

2	0	1	0
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If submitting this form as part of a joint report on behalf of a coalition leave SPDES ID blank.

Name of MS4/Coalition

TOWN OF POUGHKEEPSIE

SPDES ID

N	Y	R	2	0	A	1	9	8
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7. Evaluating Progress Toward Measurable Goals MCM 6

Use this page to report on your progress and project plans toward achieving measurable goals identified in your Stormwater Management Program Plan (SWMPP), including requirements in Part III.C.1. Submit additional pages as needed.

A. Briefly summarize the Measurable Goal identified in the SWMPP in this reporting period.

-Training opportunities were identified and discussed at quarterly department meetings.

B. Briefly summarize the observations that indicated the overall effectiveness of this Measurable Goal.

-30 municipal staff members received training by a combination of 4-hour classes provided by DCSWCD and also by viewing a municipal training DVD.

C. How many times was this observation measured or evaluated in this reporting period?

			4
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(ex.: samples/participants/events)

D. Has your MS4 made progress toward this measurable goal during this reporting period?

Yes No

E. Is your MS4 on schedule to meet the deadline set forth in the SWMPP?

Yes No

F. Briefly summarize the stormwater activities planned to meet the goals of this MCM during the next reporting cycle (including an implementation schedule).

-More frequent facility audits for good housekeeping practices will be conducted.
 -A log of catch basin inspections and cleaning will be maintained in paper and/or electronic format.
 -Additional training related to Low Impact Development, Better Site Design or Green Infrastructure will be evaluated and scheduled.

APPENDIX A

TOWN BOARD RESOLUTIONS

RESOLUTION 5:19 - # 2 OF 2010

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby accept the draft Stormwater Annual Report prepared by the Town's consultant; and

BE IT FURTHER RESOLVED, that said report has been filed in the Town Clerk's Office for review by any interested party; and

BE IT FURTHER RESOLVED, that on May 19, 2010 a public comment period was held at a regular scheduled meeting of the Town Board; and

BE IT FURTHER RESOLVED, that the public review period ends at 4:00 p.m. on May 20, 2010 when all written or oral comments are to be submitted; and

BE IT FURTHER RESOLVED, that the Town Board does direct its consultant to review the comments and prepare for filing the final report which is due June 1, 2010.

Dated: May 19, 2010

Moved: Councilman Eagleton

Seconded: Councilman Conte

Ayes 7 Nays 0

DDH:mlp

t-4/29/10

m-5/19/10

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	AYE	NAY
Councilman Lecker	<u> X </u>	<u> </u>
Councilman Eagleton	<u> X </u>	<u> </u>
Councilman Conte	<u> X </u>	<u> </u>
Councilman Cifone	<u> X </u>	<u> </u>
Councilman Krakower	<u> X </u>	<u> </u>
Councilman Tancredi	<u> X </u>	<u> </u>
Supervisor Myers	<u> X </u>	<u> </u>

**AMENDED
RESOLUTION 5:5 - # 3 OF 2010**

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby accept, for public review and comment, the draft Stormwater Annual Report; and

BE IT FURTHER RESOLVED, the draft Stormwater Annual Report, prepared by the Town consultants, be filed in the Town Clerk's Office and posted on the Town's website for review by any interested party; and

BE IT FURTHER RESOLVED, that on May 19, 2010, at the Town Hall, Town of Poughkeepsie, One Overocker Road, Poughkeepsie, NY, during a regular meeting of the Town Board, public comments will be accepted by said Town Board on said report; and

BE IT FURTHER RESOLVED, that the public comment period will commence on May 6, 2010 and end on May 20, 2010 at 4:00 p.m., and all written or oral comments must be submitted by that date; and

BE IT FURTHER RESOLVED, that the contact person for this report is Eric Hollman, Department of Planning, One Overocker Road, Poughkeepsie, New York, whose email is ehollman@townofpoughkeepsie-ny.gov; and

BE IT FURTHER RESOLVED, that the Town Clerk is authorized and directed to immediately publish a notice of this public comment opportunity scheduled for May 19, 2010; and

BE IT FURTHER RESOLVED, the Town Board does direct its consultant to review the comments and prepare for filing the final report which is due June 1, 2010.

Dated: May 05, 2010

Moved: Joseph Conte

Seconded: Michael Conte

Ayes 7 Nays 0

DDH:mlp

t-4/29/10

m-5/5/10

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AYE

NAY

Councilman Lecker

Councilman Eagleton

Councilman Conte

Councilman Cifone

Councilman Krakower

Councilman Tancredi

Supervisor Myers

APPENDIX B

RESPONSE TO PUBLIC COMMENTS



MORRIS ASSOCIATES

ENGINEERING CONSULTANTS, PLLC

9 Elks Lane, Poughkeepsie, New York 12601 Tel: (845) 454-3411 Fax: (845) 473-1962
 64 Green Street, Suite 1, Hudson, New York 12534 Tel: (518) 828-2300 Fax: (518) 828-3963

May 26, 2010

Town of Poughkeepsie
Town Hall
One Overocker Road
Poughkeepsie NY 12603

Attn: Patricia Myers, Supervisor

**Re: Response to Public Comments on Draft Stormwater Mgmt Program
Annual Report for March 10, 2009 to March 9, 2010
MA #204419.20**

The Town Board established a May 6-20, 2010 period for public review and comment and held a duly noticed public hearing on May 19, 2010, in regard to the above. On May 6, 2010, the Draft Report was placed on the Town website and posted for public review on its stormwater page (where it remains), and 37 stormwater "stakeholders" and 106 potentially interested developers, professionals and contractors were directly notified of its availability including an electronic link to the Draft Report document.

A single set of written public comments was received, via letter from Ms. Doreen Tignanelli dated May 19, 2010 addressed to the Town Board. Following are the comments restated with the corresponding response in italicized text.

1) Minimum Control Measure 2, Public Involvement/Participation, I will repeat a comment I made on the 2008-2009 Draft Stormwater Management Program Annual Report that is applicable this year also. The online report did not provide the most efficient, convenient method of reviewing the document as it was not searchable. If the town seeks to encourage public involvement in the review of the annual stormwater management report, a PDF that is searchable should be provided. The Town's response to my comment last year was "The Town can look into posting a searchable PDF format in the future".

One year into the future, a searchable document was not provided. It is not clear why a report prepared by consultant Morris Associates, paid for with taxpayer dollars, cannot be posted in a searchable format that facilitates public involvement. Having had one year to "look into posting a searchable PDF" and still fail to provide it, reflects poorly on the town's commitment to public involvement/participation.

**Re: Response to Public Comments on Draft Stormwater Mgmt Program
Annual Report for March 10, 2009 to March 9, 2010
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Response: The Town has looked into providing the annual report in searchable format and determined that it was neither feasible nor warranted due to new reporting requirements and significant time and cost constraints. The issue last year, as it is this year, is that the State requires the use of a reporting form provided by the NYS Department of Environmental Conservation. That form is changed year to year by the State and is not provided to the Town in a format capable of being easily or cost effectively changed to searchable format.

The Town is aware that the 2007-08 report and prior reports from years were lengthy documents with long appendices that addressed numerous issues and details at length in a format that did not lend itself to easily finding a topic of interest. That being said the form and its format are those provided by the State.

The current 2009-10 and previous year's reports are about 38 pages mostly of check-off responses and fill-in blanks that reference or describe (usually in only a single line) the Town's stormwater activities, generally grouping similar topics together according to the State's 6 minimum measures and subsidiary requirements. Information of potential interest in this report format is either relatively easy to find or doesn't exist because the required format does not permit as much detail as prior year reports (i.e. Year 1 -5).

The NYSDEC requires that hard copies of the report via mail or other delivery be filed and typically does not accept submittals via email. This suggests that the NYSDEC does not perform a document search for their review purposes, which may explain the lack of a searchable format.

In addition, there are certain technical issues that have resulted in the document being in a non-searchable scanned format. Overcoming them to create a searchable document would require substantial time and expense. These issues include the following:

- 1. The NYSDEC issued an updated version of the forms at the end of March 2010 – a few weeks after the end of 2009-2010 reporting date of March 9, 2010 - which included several changes and a new summary page for each of the minimum control measures (MCM). In addition, the forms were provided as twenty two separate files rather than as a combined document. Given the last minute availability of the reporting form along with the format and reporting changes required by the NYSDEC, the idea of creating a single*

**Re: Response to Public Comments on Draft Stormwater Mgmt Program
Annual Report for March 10, 2009 to March 9, 2010
MA #204419.20**

comprehensive document in a searchable format yielded to the time pressure required to review the form, understand the new reporting requirements, meet the deadlines for public hearing, review of public comment, and file the report by the June 1st deadline.

2. *While the forms are able to be entered and filled there are space limitations within the boxes that sometimes results in words or whole phrases not being accepted, particularly when there are any subsequent changes made. Those edits are not retained upon saving as one might expect. This resulted in manual editing of the forms. Similarly, the forms will not accept certain characters such as an underscore “_” which is commonly used within URL web addresses. These had to be entered manually. Unfortunately once any manual edits are performed the only way to capture the manual revisions is to create a separate scanned non-searchable document.*
3. *Even if the Town had the time and resources to post two individual versions on the website (i.e. one searchable and another non-searchable) there would have been obvious differences between the documents that would have lead to questions about the accuracy of either one, resulting in confusion that would have been counter-productive to the public review of the report.*

2) Minimum Control Measure 2, Public Involvement/Participation, the New York State Stormwater Management Guidance Manual for Local Officials gives an example of where stormwater management in a community is working as "The public contributes information about stormwater problems; the municipality follows up on complaints and adds information from the public to its data about local conditions".

The town should have a documented procedure regarding response and follow up on reported stormwater concerns. My personal experience leads me to believe there is no documented procedure. A procedure should be in place that includes:

- a) acknowledgement when a complaint is received regardless of method of delivery (email, verbal, etc).

**Re: Response to Public Comments on Draft Stormwater Mgmt Program
Annual Report for March 10, 2009 to March 9, 2010
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- b) a timeframe when a response to complaint can be expected.
- c) results of investigation and any action that may have been taken.

The recently posted Stormwater Management Program Plan, 5.0 Construction Site Runoff Control, 5.2(1)(h), Page 57 of a 466 page unsearchable PDF, refers to "procedures and follow up on complaints or other information submitted by the general public". Section 5.5, Public Submittals, states "All public comments and submitted documents regarding construction site stormwater runoff will be responded to by YYY. Details of these complaints or submitted documents can be found in Appendix S". It is not clear what is meant by "responded to by YYY". Furthermore if Appendix S refers to Appendix S of the Stormwater Management Program Plan, Appendix S does not appear to have anything to do with complaints as it deals with "Stormwater Management Practice Long Term Operation and Maintenance".

Response: The Town has a designated Public Stormwater Contact to facilitate the receipt and dissemination of information related to any comments or complaints that come either from the general public or other entities. This person is designated as per NYSDEC guidance in relation to MS4 duties (GP 0-08-002 Part VII. A. 2. c). In terms of complaint processing the Town handles this essentially as a courtesy as there is no known guidance related to these procedures.

The Town, through its Public Stormwater Contact and other personnel, endeavors to respond promptly to each and every complaint that is received. Depending on the nature of the complaint and the specific circumstances, the public contact will direct the issue to the appropriate department or staff for follow up. As each complaint or comment is unique, the corresponding reaction in terms of timing and activity will vary accordingly. Typically the Town relies on reports from individuals that are engaged in the field and it often takes time to perform an additional site visit to verify the situation as circumstances often change based on owner and contractor activity. The Town will review this comment during the coming year to consider whether, and how, to formalize a response procedure for complaints.

As far as the second portion of the comment, this is directed at the Storm Water Management Program (SWMP). The SWMP is currently a staff level working document that is subject to on-going revision. The Town is also working in conjunction with the Dutchess County MS4

**Re: Response to Public Comments on Draft Stormwater Mgmt Program
Annual Report for March 10, 2009 to March 9, 2010
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Coordination committee on refining the SWMP as a template that will be tailored to specific municipalities needs. The comments relative to Section 5.5 are noted and will be addressed as part of the pending SWMP update.

3) Minimum Control Measure 2, Public Involvement/Participation, #1, refers to opportunities for public participation in the Stormwater Management Program Plan and lists "Comments on SWMP Received" as "0". The number may be "0" due to the fact that the town did not have a SWMP Plan available for public review during the reporting period. An email responding to my January 2010 FOIL request to review the Town's SWMP stated the town did not have an "official" SWMP Plan, that there was a document "intended to satisfy the permit criteria" that the public could view at the office of Morris Associates.

According to a February 12, 2010 email from NYSDEC's Pat Ferracane, "The current MS4 SPDES GP requires that MS4s have a Stormwater Management Program plan. Part IV A of the permit requires that the plan be developed by March 9, 2009. Part V.B of the permit requires that the plan be available to the public".

It is unacceptable that a document required as part of the town's MS4 SPDES permit was not available at Town Hall or online for the reporting period ending March 9, 2010.

Response: As per the MS4 permit (GP 0-08-002, Part IV. A) "by March 9, 2009 (or at the time of a department audit of the SWMP)" (emphasis added). Around the time of the prior DEC/EPA audit that occurred in August 2007, the Town assembled a SWMP type document, although it was not labeled as such. This document has continued in use since that time for implementation of the overall MS4 program. In 2008, New York State enacted revisions to the MS4 permit, one of which requires the development of a SWMP by the above date or at the time of the next audit.

Once the Town received notice of the most recent DEC audit (which occurred on April 14, 2010) an updated SWMP was prepared for review by NYSDEC during the audit. The NYSDEC offered compliments in regard to the content of the SWMP and issued a follow up letter with an overall rating of "satisfactory" (the highest rating available) with regard to the audit of the entire MS4 program.

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Annual Report for March 10, 2009 to March 9, 2010
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Subsequent to the audit, the SWMP document was made available for public review in reply to a FOIL request. This document will continue to remain available for public inspection under FOIL procedures.

In addition, (and as noted in response to comment #3 above) the MS4 permit (Part IV. B.) encourages the cooperation between MS4 communities in the development of the SWMP plan. The Dutchess County MS4 Coordination committee is currently re-drafting their template version of the SWMP plan for use by the member municipalities.

4) Minimum Control Measure 2, Public Involvement/Participation, #5.a, regarding annual report public meeting, the town should consider reinstating a practice from earlier years. For several years, an actual presentation was given to the public where the annual report was reviewed and explained. The current practice involves an agenda item on a regularly scheduled Town Board meeting where the board votes to accept the report for public review. This year it was the May 12, 2010 regularly scheduled Town Board Meeting. No presentation or discussion of report content occurred. At the May 19, 2010 public hearing one resident, Doreen Tignanelli, spoke but no presentation or discussion occurred. Now that Town Board meetings are televised, a presentation of the annual report would provide an additional opportunity to educate more members of the general public on stormwater issues.

As I noted in my public comment of May 19, 2010, it is my opinion that the number given for people participating in the stormwater events include annual report meetings has been overestimated in both the annual report itself as well as in data supplied to the NYSDEC as part of their audit of the Town's MS4 SPDES permit. The town should improve their process of tracking attendance at report meetings and other stormwater related events and estimating SWPPP comments.

Response: In regard to attendance at stormwater events the Town relies on information provided by the sponsoring organizations. Many events were conducted on a watershed or county-wide basis and the level of each municipality's participation was identified by the Dutchess County MS4 Committee. The report pages for minimum control measures 1 and 2 were developed based on a memorandum from DCSWCD dated April 23, 2010 and a letter from Cornell Cooperative extension dated February 5, 2010. The committee then collectively

**Re: Response to Public Comments on Draft Stormwater Mgmt Program
Annual Report for March 10, 2009 to March 9, 2010
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filled out the sections related to number of participants/events etc. In this way there would be consistency among the participating communities in the event of a future audit.

As for attendance and presentations at Town Board meetings, there does not appear to be an effective way to gauge level of participation as people are free to come and go at the meetings and there is no practical way to determine level of interest in regard to storm water issues and whether to count an individual for that versus some other agenda item. In the audit with NYSDEC, they advised that the basis for any such numbers can be approximated as it is used as an overall tracking mechanism to gauge public participation.

Presentations to the Town Board were provided during the initial five year phase-in period for the EPA's Phase 2 Stormwater program requirements when there was more of a perceived need to provide the public with background information and the basis for the Town's evolving MS4 program. Since the Town's MS4 program has become widely established and publicly recognized the need for such annual presentations no longer seems justified as to the time and expense involved in preparing the presentation in relation to the low public attendance and comments received.

In terms of the number of SWPPP comments this was based on the approximation of staff based on all projects over the year which included a SWPPP. Similar to the above in relation to meeting participation, the NYSDEC indicated that these numbers can be approximated as there is typically a mix of verbal comments at meetings over a wider range of drainage topics (erosion/sedimentation, potential for flooding, etc.) as compared with specific written comments to SWPPPs themselves.

5) Minimum Control Measure 3, Illicit Discharge Detection and Elimination, #11, states 0% of staff in relevant positions received IDDE training yet measurable goal for next reporting cycle is only to have one person trained. As it was stated in the town's response last year to my stormwater comments, departments including sewer and zoning are integral to the town's IDDE program in addition to engineering. Therefore, the goal of training only one person appears to be a very low goal set for IDDE training.

**Re: Response to Public Comments on Draft Stormwater Mgmt Program
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Response: Upon further consideration of this comment and given that there are multiple departments involved with IDDE, the number has been revised to a goal of five people to be trained in the current year.

6) Minimum Control Measures 4 and 5, Construction Site and Post-Construction Control, #2, states there is a procedure in place for SWPPP review. I have noted concerns regarding NOI and SWPPP review relating to a specific project, the Woods at Cliffdale, in my November 11, 2009 letter to Town Supervisor Patricia Myers and Director of Municipal Development Neil Wilson. Concerns included, but were not limited to, the fact that construction activities began before coverage was in place per NOI (Notice of Intent); it did not appear that properly completed forms had been submitted to the Town in order to meet the SPDES permit requirements. State Pollutant Discharge Elimination System for Construction Activities, Construction Site Log Book, dated 10-3-09, I. Pre-Construction Meeting Documents, Operator's Certification did not contain Harold Buchner's signature; II. Construction Duration Inspections did not contain Harold Buchner's signature; and whether SWPPP was current and E&S requirements were being met.

SWPPP review procedures should be examined for potential improvement.

Response: The Town is obligated to abide by the requirements for their role as MS4 in both the review of the SWPPP and in the issuance of a Notice of Intent (NOI) as outlined in GP 0-10-001 (formerly GP 0-08-001). The referenced project received acknowledgement of the NOI on September 25, 2009 (NYR 10R715). The pre-construction meeting was conducted on September 16, 2009 and at that time it was acknowledged that no site disturbance would be performed within the subject parcel.

Upon review of records the only activities that occurred in the latter half of September included staking of work limits, marking of trees for removal within the NYSDOT right-of way and an attempt to perform a tap of the water main that was not completed. Although these might be construed as the starting of work, these did not involve disturbance within the subject parcel and are permissible prior to receiving NYSDEC acknowledgement for the Notice of Intent.

The referenced forms are normally maintained on site in the log book and verified at the time of a monthly compliance inspection. The first such inspection notes that the operator's certification was signed and inserted

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into the log book on October 26, 2009. The weekly inspection forms are signed by the qualified professional acting on behalf of the owner and owner signature on each individual inspection is not required. The weekly reports are also reviewed as they are received and during the monthly compliance visits.

In terms of SWPPP review procedures, they are under continuing review and improvement. The Town will continue to monitor their effectiveness and revise them accordingly.

7) Minimum Control Measures 4 and 5, Construction Site and Post-Construction Control, #6, It is not clear if the numbers given for enforcement actions during the reporting period are enforcement actions for all construction sites in the Town. If they are total numbers, I question their accuracy. Number of Stop Work Orders is listed as 10, number of Notices of Violations is listed as 20 and number of Orders to Remedy is listed as 10. Those numbers correspond to one construction site alone - Makan Land Development's Tamarack Heights - as documented in a March 12, 2010 letter by Town Building Inspector Wayne Cichon for the reporting year March 10, 2009 to March 9, 2010. I am aware of at least one other construction site in the town, the Woods at Cliffdale Subdivision on Spackenkill Road that received one of its three Stop Work Orders in that same reporting period. It seems unlikely that Tamarack Heights was the only site subject to enforcement action in the town for the entire year's reporting period.

Response: Upon review of the records for issuance of Stop Work Orders and for Woods at Cliffdale in particular it was found that there were additional enforcement actions within the reporting period. Two separate ones were issued in November of 2009. One was related to the lack of proper site control fencing and varying the work from the approved phasing plan which is related to erosion controls whereas the other was for a non-stormwater related reason. Based on this the form has been updated to include this one additional set of enforcement actions.

Due to the recent economic conditions, the level of construction activity has slowed dramatically over the past 12 to 18 months. Several projects have either been completed or have suspended active construction. This is partially the reason for the reduction in enforcement actions. Another factor is that the Town is more proactive

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in both educating and mitigating issues before they are raised to the level of an enforcement action being needed.

8) Minimum Control Measure 5, Post-Construction Stormwater Management, #5, refers to Low Impact Development, Better Site Design and Green Infrastructure principles. Percentage of staff trained in these principles is listed as 0% yet no goal is in place for training. A goal should be set to train staff in practices that will protect and conserve the town's natural resources.

Response: Upon checking of records related to training, it was revealed that staff and Planning Board members had received some training in these types of topics and the report has been revised accordingly. Given the recent emphasis in the updated NYSDEC storm water manual and the GP-0-10-001 for green infrastructure and better site design it is anticipated that there will be additional training opportunities in regard to these specific topics. As such, a revised goal in regard to training has been specified.

9) Minimum Control Measure 6, Stormwater Management for Municipal Operations, #1, while Bridge Maintenance and Solid Waste Management are listed as being addressed in the SWMP Plan, corresponding self-assessment question was not answered "yes" or "no".

Response: This appears to have been an oversight and the form has been updated to indicate "Yes" in both categories.

10) Minimum Control Measure 6, Stormwater Management for Municipal Operations, #3, asks how many stormwater trainings were provided to municipal employees during this reporting period yet the date of training given in #4 is outside the range of the reporting period.

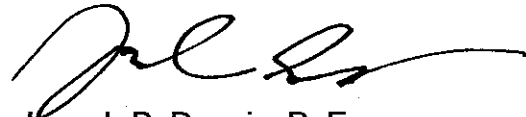
Response: This appears to have been an oversight as the form requests the most recent date. However, the form has been corrected to February 11, 2010 to fall within the reporting period. This correction reduced the number trained to 30 from 32 and has been revised accordingly.

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11) Minimum Control Measure 6, Stormwater Management for Municipal Operations, #5, notes that 32 municipal employees were trained during the reporting period with **#6** indicating training of employees in relevant positions was 50%. In spite of the fact that only 50% were trained, additional training is not listed as a measurable goal in **#7F** for the next reporting cycle. A goal for additional training should be set.

Response: Upon recent discussions with the DC MS4 coordination committee, it is anticipated that there will be additional training opportunities for municipal employees in the coming months. Since training can be staggered over a few years so that personnel receive a variety of topics, a revised goal in regard to training has been specified.

Very truly yours,
MORRIS ASSOCIATES
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JPD/sg

cc: Neil Wilson, AICP, Esq., Director of Municipal Development
Eric Hollman, Public Stormwater Contact