

Village of



Mamaroneck

*Village Hall At The Regatta*

*P.O. Box 369*

*123 Mamaroneck Avenue*

*Mamaroneck, N.Y. 10543*

<http://www.villageofmamaroneck.org>

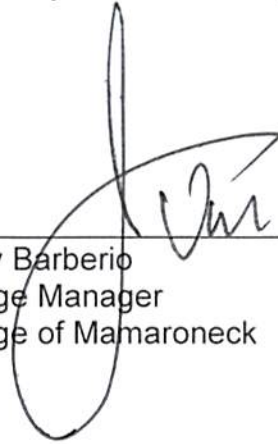
OFFICE OF  
JERRY BARBERIO  
VILLAGE MANAGER

Tel (914) 777-7703

Fax (914) 777-7760

### Proclamation of Local Emergency

I, Jerry Barberio, Village Manager of the Village of Mamaroneck, acting within the authority granted to me by Section 24 of the Executive Law of the State of New York, having found that the Village owned dam located in the Mamaroneck River known as the Mamaroneck Reservoir Dam (DEC Dam ID# 233-0866) has given rise to a public emergency within the territorial limits of the Village of Mamaroneck, and that the public safety is imperiled thereby, do hereby proclaim a local emergency within the Village of Mamaroneck. The NYSDEC, in a letter dated April 13, 2022, as indicated that the Village must address the "Unsound-Deficiency Recognized" and violation(s) of 673.6, 673.7, 673.8 and 673.13. This local emergency will continue until it is rescinded by me or until May 20, 2022, whichever is later.

  
\_\_\_\_\_  
Jerry Barberio  
Village Manager  
Village of Mamaroneck

Dated: Mamaroneck, New York  
April 20, 2022

**NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION**

Division of Water, Bureau of Flood Protection and Dam Safety  
625 Broadway, Albany, New York 12233-3504  
P: (518) 402-8185 | F: (518) 402-9029  
www.dec.ny.gov

**Certified Mail – Return Receipt Requested**

April 13, 2022

2022 APR 13 11:07 AM  
RECEIVED  
OFFICE OF THE  
SECRETARY OF ENVIRONMENTAL CONSERVATION

Mr. David Birdsall  
Business Director  
Westchester Joint Water Works  
1625 Mamaroneck Ave  
Mamaroneck, NY 10543

Mr. Thomas Murphy, Mayor  
Village of Mamaroneck  
123 Mamaroneck Ave  
Village Hall  
Mamaroneck, NY 10543

Re: Mamaroneck Reservoir Dam, DEC Dam ID# 233-0866  
Town of Harrison, Westchester County  
Class C – High Hazard Dam  
Condition Rating: "Unsound – Deficiency Recognized"

**3<sup>rd</sup> NOTICE OF VIOLATION**

Dear Dam Owners:

Donna Bekkering, Berhanu Gonfa, and I conducted a routine visual inspection at the above referenced high hazard dam on April 5, 2022 as a part of the New York State Department of Environmental Conservation's (Department) ongoing Dam Safety program. I am writing you as it is my understanding that you are, or represent, the owners of this structure. A copy of my Visual Observations is enclosed.

**Inspection**

The left/right nomenclature used in this letter and in the enclosed Visual Observations is based on looking downstream.

The following table summarizes the current status of compliance for this dam for those sections of the regulations that have specific deadlines for compliance.



<u>Citation</u>	<u>Requirement</u>	<u>Status</u>
673.6	Develop and implement an Inspection & Maintenance (I&M) Plan by August 19, 2010.	An I&M Plan must be available for review, if requested.
673.7	Develop and submit to the Department an Emergency Action Plan (EAP) no later than August 19, 2010, and review and update annually thereafter. To be considered "final" a completed Promulgation and Concurrence (P&C) form must also be submitted indicating that the EAP has been distributed to and coordinated with local emergency responders.	<b>VIOLATION – EAP last updated in 2015. Please submit updated EAP immediately. See comments below.</b>
673.8	Submit an Annual Certification to the Department by January 31 <sup>st</sup> of each year (covering the previous calendar year).	<b>VIOLATION – No Annual Certification has been received since 2015. Please submit an Annual Certification immediately.</b>
673.13	The first Engineering Assessment (EA) of a Small, Class C dam is due no later than August 19, 2014, and a full Engineering Assessment is due every 10 years thereafter.	<b>VIOLATION – EA is long past due. Please submit EA immediately.</b>

### Emergency Action Plan (EAP)

A review of the EAP indicates that the Department's contact information is incorrect; and that it is lacking a Promulgation and Concurrence (P&C) form. Please revise EAP as needed; contact the Department to get the Department's correct contact information; distribute EAP updates to all document holders, including Dam Safety; and submit a completed P&C form to my attention. A sample P&C form can be downloaded from the Dam Safety webpage at: <http://www.dec.ny.gov/lands/58691.html>.

### Condition Rating

The Department assigned to the dam a Condition Rating of ***“Unsound – Deficiency Recognized”*** via a December 7, 2018 letter by Syed Alam. The Condition Rating was due to the dam's inadequate spillway capacity and deficient structural stability, as revealed by the 1981 Phase 1 Report; violations of the NYS Regulations; and lack of maintenance at the dam. The Department issued an NOV via an April 14, 2015 letter by Donald Canestrari and a second NOV via my December 10, 2020 letter (2020 Letter). The Condition Rating is still valid as the violations set forth in the 2020 Letter still persist.

Please keep in mind that any repair or construction related to the dam may require permits from the Department. Well in advance of beginning work at the dam,

please check with the Regional Permit Administrator in the New Paltz office (845-256-3054) to see if any permits are needed.

If you have any questions please contact me at 518-408-0338, or by e-mail at [john.smith@dec.ny.gov](mailto:john.smith@dec.ny.gov).

Sincerely,

A handwritten signature in black ink, appearing to be 'John Smith', written over a horizontal line.

John Smith, P.E.  
Professional Engineer 1  
Dam Safety Section

ec w/ enc: Westchester County Emergency Management Office,  
[drd2@westchestergov.com](mailto:drd2@westchestergov.com)  
Berhanu Gonfa, P.E., DEC Region 3, Dam Safety Representative  
Rich Dionisio, Supervisor, Town of Harrison, [rdionisio@harrison-ny.gov](mailto:rdionisio@harrison-ny.gov)

Mr. David Birdsall  
Business Director  
Westchester Joint Water Works  
1625 Mamaroneck Ave  
Mamaroneck, NY 10543  
[dbirdsall@wjww.com](mailto:dbirdsall@wjww.com)

Mr. Thomas Murphy, Mayor  
Village of Mamaroneck  
123 Mamaroneck Ave  
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Mamaroneck, NY 10543  
[tmurphy@vomny.org](mailto:tmurphy@vomny.org)



**Visual Observations**

<i>DAM NAME</i>	Mamaroneck Reservoir Dam		
<i>STATE ID</i>	233-0866	<i>SECTION</i>	A
		<i>HAZARD CODE</i>	C
<i>COUNTY</i>	Westchester	<i>INSPECTION DATE</i>	4/5/2022
<i>NEAREST DS CITY/TOWN</i>	Mamaroneck	<i>INSPECTOR(S)</i>	DMB/BXG/JZS
<i>OWNER'S NAME</i>	VILLAGE OF MAMARONECK Westchester Joint Waterworks		
<i>DOWNSTREAM HAZARD</i>	High	<i>TOWNSHIP</i>	Town of Harrison
<i>WATER LEVEL BEHIND DAM</i>	At culvert inlets		
<i>DRAIN OPERATION</i>	Unknown		

*DEFICIENCIES*

- |  |   |   |
|--|---|---|
| <input type="checkbox"/> 1) Seepage            | <input type="checkbox"/> 4) Maintenance             | <input type="checkbox"/> 7) Cracking              |
| <input type="checkbox"/> 2) Slope Stability    | <input type="checkbox"/> 5) Surficial Deterioration | <input type="checkbox"/> 8) Movement/Misalignment |
| <input type="checkbox"/> 3) Undesirable Growth | <input type="checkbox"/> 6) Voids                   | <input type="checkbox"/> 9) Data                  |

General:

-Dam appears to unmaintained.

Upstream:

-Woody debris piled on the right side of the dam, possibly from potential flooding.

Dam Crest:

-Trees and brush within both abutments.

Service Spillway:

-Some sections of flashboards are missing. Deterioration and moss on the concrete.

Auxiliary Spillway:

-Trees and brush.



Photo 1 Dam ID# 233-0866 Mamaroneck Reservoir Dam 04/05/2022  
Downstream face



Photo 2 Dam ID# 233-0866 Mamaroneck Reservoir Dam 04/05/2022  
Upstream face



Photo 3 Dam ID# 233-0866 Mamaroneck Reservoir Dam 04/05/2022  
Dam crest





Photo 4 Dam ID# 233-0866 Mamaroneck Reservoir Dam 04/05/2022  
Downstream face



Photo 5 Dam ID# 233-0866 Mamaroneck Reservoir Dam 04/05/2022  
Auxiliary spillway