

Donna Conkling

From: Lerner, Linda <LLerner@crowell.com>
Sent: Monday, January 22, 2018 10:50 AM
To: Mayor
Cc: Donna Conkling
Subject: Sanitation Proposal

To the Scarsdale Village Board of Trustees:

I wish to address the proposal regarding changes in sanitation services advanced to enhance environmentally friendly waste services in our Village. These efforts are laudable and I commend all those involved on their thoughtful and diligent efforts. However, there is one point with which I strongly disagree, based on recent personal experience.

Requiring homeowners to bring commingled recyclables to the curb (in order to save money so that food scrap recycling can be instituted without additional cost) has not taken into consideration the needs and rights of frail and/or disabled Village residents. The Village has instituted efforts to enable such persons to remain at home but mandatory curbside placement can present an insurmountable hurdle to those most in need of assistance. Recently I underwent shoulder surgery and am required to keep my arm immobilized for six weeks. Bringing recyclables curbside is simply not possible because it requires two arms. Others cannot perform this task for a variety of reasons. Caretakers may not work on the day before recycling and I assume these items must be placed curbside within 24 hours of pickup.

As an attorney, I frequently encounter parts of laws that don't work because no one was thinking about certain situations that might arise. I assume this is one of those instances and I am asking you to make curbside placement voluntary. On my street many residents voluntarily bring these items curbside currently (perhaps because they store them in their house or garage) and people should be energetically encouraged to do so. I am simply saying that residents should not be forced to do so because they might not be able to do so. An unintended consequence may be that they may therefore simply place recyclables in with other trash, which would increase the environmental mess we have made of the earth.

Finally, I suggest that prior to adopting any such mandatory requirement the Village Attorney carefully analyze whether it would violate the Americans with Disabilities Act and/or relevant State law without providing an accommodation to anyone who needs it. Finally, as a best practice, the Village Trustees should consider whether it is necessary or advisable, or decent and humane, to place this sort of burden on those who are least able to cope with it.

Respectfully,
Linda Lerner
28 Dobbs Terrace