



Kenneth W. Jenkins
County Executive

Department of Health

Dr. Sherlita Amler, M.D., M.S.
Commissioner

Westchester County Department of Health
Petitioner,

v.

ORDER OF THE COMMISSIONER

ATTN: Kathleen Gill, Village Manager
Village of Mamaroneck
123 Mamaroneck Avenue
Mamaroneck, NY 10543

2026 - 4

Respondent.

WHEREAS, pursuant to N. Y. Pub. Health Law §308, §1303 and §1305, the Commissioner of Health ("Commissioner") is authorized to regulate nuisances affecting life and health within her jurisdiction; and

WHEREAS, on July 27, 2026 at 1:10 PM, a representative of the Westchester Department of Health ("Department") determined conditions conducive to the breeding of mosquitos existed on property located at Guion Creek Preserve on Shore Acres Drive in the Village of Mamaroneck, identified as Tax ID 154.52-1-1; and

WHEREAS, the Department's representative observed stands of invasive phragmites, which are known mosquito harborage areas which also trap moisture and support mosquito breeding, containing many mosquitoes in the area sufficient to conclude that mosquitoes are either breeding or are likely to breed, therefore creating a nuisance in the community; and

WHEREAS, on July 28, 2026, a representative of the Westchester Department of Health ("Department") determined conditions conducive to the breeding of mosquitos existed in catch basins throughout the peninsula containing Shore Acres Drive, including on Shore Acres Drive, The Parkway, Oakhurst Road, Soundview Drive and Taylor Lane.

WHEREAS, the Department's representative observed stagnant water in the catch basins sufficient to conclude that mosquitoes are either breeding or are likely to breed, therefore creating a nuisance in the community; and

WHEREAS, During the course of these inspections, the Department's representative received reports from several area residents that several homeowners have been independently treating nearby catch basins with *Bacillus thuringiensis israelensis* (Bti).

WHEREAS, the existence of this stagnant water in catch basins and in Guion Creek are in direct violation of N.Y. Pub. Health Law §1500(2);

WHEREAS, the above named respondent is the owner or owner's agent of the property upon which a nuisance was discovered;

IT IS HEREBY ORDERED, respondent shall immediately provide the Department documentation within 14 days from the date of this Order of the following:

1. A New York State Department of Environmental Conservation (NYSDEC) Licensed Pesticide Applicator has immediately been retained to initiate a mosquito control program on the aforementioned property; and
2. The mosquito control program will be adequate to effectively eliminate mosquitoes on this property through the legal application of NYSDEC approved biological and/or chemical larvicides.
3. Said submission to the Department shall be directed to Robert Bellach, Senior Public Health Sanitarian, at 11 Martine Avenue, 15th Floor, White Plains New York 10606, telephone: 914-813-5000, rcb2@westchestercountyny.gov.

Failure to comply strictly with the terms of this Order may result in further administrative action, including but not limited to fines up to \$2,000 per day of non-compliance, or civil enforcement in administrative law court.

SO ORDERED, this Fifth Day of August, 2026.

For the Commissioner,

Sincerely,



Christopher Ericson, MPA
Deputy Commissioner