

May 3rd, 2012

The Town Board met as a Board of Health on Thursday, May 3rd, 2012 with the following members present: Richard Rowland, Supervisor; Daniel Pemrick, Thomas Kinsella and Daniel Cochran, Councilman. Walter E. Chandler was absent. Also present were Highway Supt. Walter Barss and 2 residents.

At 7:15 PM Unsafe Building Hearings opened for 521 North Creek Road, 251 Greene Road and 4424/4422 Route 9N. Board members reviewed the Code Enforcement Officer's report dated 5/3/2012.

521 North Creek Road, Tax Map #150.-1-18 - Supervisor Rowland stated that the Code Enforcement Officer's report indicates that the building has been demolished. The property owner, Leon Ross, was present. Mr. Ross presented the Board with pictures of the property showing that the structure had been removed. In addition he had load tickets from Hiram Hollow where the debris was taken. Board members were in agreement that this matter was now closed.

251 Greene Road, Tax Map #113.-1-34 - Code Enforcement Officer provided the Board with a copy of a letter that he received from the property owner, Jim Strassburg, which indicated that he would arrange for the building to be secured and to sure-up the lower level support with extra 2 x 4 support studs. Mr. Strassburg left a phone message on 5/2/12 indicating that all the items had been addressed. Code Enforcement Officer will reinspect the property and provide the Board with an updated report.

4424 & 4422 NYS Route 9N, Tax Map #99.-1-42 – Town Supervisor advised that the Unsafe Building Notice that was sent to the property owner of record, Patricia & James Wolfe, was returned as undeliverable. The Code Enforcement Officer's initial report indicated that the property may be in foreclosure and that Corelogic Corporation was last known to be maintaining the property. A notice was sent to them and was signed for on 4/16/2012. As of this date there has been no communication from anyone regarding this property. Town Supervisor will ask the Code Enforcement Officer to provide an update for the June meeting.

At 7:25 PM a public hearing opened pursuant to an application by Ron McElwain, RGM Estates, for a variance of Chapter 54, Appendix A3103 – Variance of separation requirements for a replacement septic system. Clerk presented proof of legal publication. Supervisor Rowland stated that the Board had received a report from the Town Engineer dated 5/3/12. He felt that the proposed system would be an improvement over the existing conditions. He asked that the Board consider some stipulations should they agree to issue the required waivers for the system. The system installation should be observed by the design engineer and final certification be provided to the Town indicating that the system was installed in accordance with the design. Testing of the on-site well for contamination should be completed a minimum of once a year. In the event that the water tests positive for bacteria the owner must immediately address the issue and notify the Town and park residents. The applicant should be required to maintain a year contract with the system supplier to perform inspections of the system components and confirm that the system is functioning properly. Should the system fail, it should be decommissioned and the number of mobile homes on the lot may need to be re-evaluated. The applicant's engineer stated that they had reviewed all the plans and comments with

May 3rd, 2012 continued

the Town Engineer. They had already added the first three conditions to the plans. Mr. Robinson stated that they are pretty confident with the design and operation of the system. He stated that within the New York City watershed, the City controls all the septic system installations and this is the system of choice for them. Most of them are replacement systems which are monitored very carefully and they have had great success with them. Kinsella, C. stated that this was something that the Board may want to monitor. If it works successfully, this may be a system that could be used in the Lake Desolation area where there is an issue with adequate separation. Mr. Robinson stated that they have installed a few of these systems around Sacandaga. They are a very good system, however they are very expensive. Mr. Robinson stated that in addition to him being on site during the installation of the system, there will also be a representative of the manufacturer. Certification letters will be provided from both. Contractors looking to install these systems are required to go for training before they can install a system.

RESOLUTION # 72 – Approve Septic Variance for RGM Estates

Motion: Cochran, C.

Seconded: Pemrick, C.

RESOLVED, That the Town Board hereby approves the application of Ron McElwain, RGM Estates, for a variance to Chapter 54, Appendix A3103 – Variance of separation requirements for a replacement septic system with the following conditions:

1. The system installation must be observed by the design engineer and a final certification of installation must be provided to the Town stating that the system was installed in accordance with the design.
2. The applicant/owner must test the on-site well for contamination a minimum of once per year. In the event that the water tests positive for bacteria, the owner must immediately address the issue and notify the Town and park residents.
3. The applicant/owner is required to maintain a year contract with the system manufacturer to perform inspections of the system components and confirm that the system is functioning properly.
4. Should the system fail in the immediate future, the system should be decommissioned and the number of mobile homes located on the lot re-evaluated.

VOTE: Ayes: Rowland, Pemrick, Kinsella, Cochran

Noes: None

Absent: Chandler

On motion of Pemrick, C. and seconded by Cochran, C., the special meeting was adjourned at 7:35 PM.

Town Clerk