

PUBLIC HEARING

December 11, 2018

Providing for the inspection of Septic Systems – Lake Placid lake
Unsafe Buildings Law of the Town of North Elba

Minutes of a Public Hearing held on the above date beginning at 6:30 pm in the meeting room of the North Elba Town Hall, 2693 Main Street, Lake Placid, New York.

Members Present: Supervisor Politi, Councilman Favro, Councilman Miller, Councilman Doty, Councilman Rand, Laurie Dudley

Others Present: Attorney Ron Briggs, Superintendent Larry Straight, Michael Orticelle, Griffin Kelly, Judy Shea, Marty & Mary Shubert, Linda Friedlander, Georgia Jones

Supervisor Politi opened the Public Hearing for the inspection of Septic Systems on Lake Placid lake by asking everyone to stand for the Pledge of Allegiance.

Supervisor Politi read the Public Notice which he stated was properly published and posted.

NOTICE OF PUBLIC HEARINGS

PLEASE TAKE NOTICE THAT the Town of North Elba Town Board will hold Public Hearings scheduled as follows in the meeting room of the North Elba Town Hall, 2693 Main Street, Lake Placid, New York 12946 on December 11, 2018.

6:30 PM To authorize the Local Law "Providing for the inspection of septic Systems which are proximate to Lake Placid lake"

6:45 PM To authorize the Local Law establishing "Unsafe Buildings Law of the Town of North Elba" in accordance with the authority granted to it under New York State General Municipal Law Sections 187, 188, and 188-a and under New York State Municipal Home Rule Law.

Copies of the draft local laws are available for inspection at the Town Hall, 2693 Main Street, Lake Placid, New York 12946.

INSPECTION OF SEPTIC SYSTEM LAKE PLACID LAKE

Laurie Dudley read the public notice.

Supervisor Politi- Before we begin this is something that has been in the making for quite a while. It is something that this board along with members of the Shore Owners Association have been working on. We discussed the necessity to look at the integrity of protecting our reservoir. Some of this came at discussions and meetings Derek and I had with DEC. DEC was considering eliminating the barge launch area on Lake Placid and we were discussing with the state the need to have that barge launch for people that have houses that are only accessible by boat. The states feeling was its going to take a lot of money to fix this launch area. So we brought up one of the reason we use the barge is to pump the septic systems on the lake. If we eliminate getting a barge on the lake it would not be feasible to have these pumped. They had never thought of this and

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they immediately jumped on board with this. They were willing to work with us to correct the barge situation. This is a draft law to hopefully correct compromised septic systems on Lake Placid. This law is meant to have the septic systems on the lake checked. Every five years for seasonal properties and 3 years for year round residence. The inspection should include septic tank pump out and dye test. The inspection or pump out should be arranged by the property owners and paid by property owner. An inspections should not be required if the owner can provide documentation that the tank has been cleaned within the 5 or 3 years or in the event that the system was newly constructed within the last five years. Older septic systems with multiple users will have to meet the standard of size and load given the number of properties utilizing the system. There are multiple properties on Lake Placid with multiple properties using it. There is some concern that some of the systems are 50 or 60 years old and do not fit the current standards to hold the load of that many families. Ronnie put the law together based upon laws in other communities. At this point I am going to open the meeting up for public comment. I will tell you this though we are not going to pass this law tonight. I am also going to leave this public hearing open for 30 days.

Marty Shubert- This last year we have heard rumors there are some bad systems on the lake, sometimes when you have gone out on your boat you could smell something. We are grateful that you are doing this it's definitely needed.

Supervisor Politi- This will make it mandatory for all home owners. Another thing is if you sell your property with septic system on the lake it must be inspected before the sale. No one is going to be able to walk away from this problem. Mike Orticelle is on board with this and feels the same way we all do and that this is a necessary function.

Georgia Jones- How soon can this be passed?

Supervisor Politi- We are leaving public hearing open for 30 days so that will bring us in to late January and we would put it on our February meeting to pass and once its passes Ron will file it with the Sectary of State. Once it's filed it is a law so this would be early March late February. This is long overdue.

Georgia Jones- The barge you are talking about is generally only out once a summer. It's fairly officiants it's a fairly good system. The smell sometimes is not leaking system, it more to do with summer heat and things. As far as the amount of houses that need to be looked at is over 100. The Shore owners Association pays for the barge which is \$1000.00. The home owner pays by the gallons pumped. Some of the houses are smaller. So we can go as long as 7 years. Houses that are bigger do it every 3 years. These records are kept by the shore owner's. I would suggest that you work with the shareowner's association. I think this is great because it will give more power to say you have no choice.

Supervisor Politi- There is also a \$950.00 fine this will gets people attention.

Georgia Jones- If the town would pay for the barge we could maybe have it for a few more days.

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Supervisor Politi- We can't do this for a group of people and not for the rest of community. We can't do that.

Councilman Rand- Are records kept for people that don't use the barge? If they pay for it themselves and don't use the barge do you have records of it.

Georgia Jones- Not necessarily. They could use the barge, we have records of those who utilize the shore owner's barge.

Supervisor Politi- Mike do you have any thoughts in regard to this law and how to attack it?

Mike Orticelle- Now that I know there are a bunch of records I would like to get copies of these. Moving forward it will be like a registration process and have to do an annual review.

Ronald Briggs- I know in an email you wanted to add other bodies of water in town?

Mike Orticelle- I don't think we should limit this just to Lake Placid.

Supervisor Politi- I think we do because this is our reservoir not like other bodies of water. This is the first step and if we decided to expand to other bodies of water we could do that.

Georgia Jones- I think it's important for Mike to have diagrams of the system. Some people don't have a clue where there pumps are especially new places being built.

Supervisor Politi- The older places we have no idea but you are right this is going to be a collaborative between the Code Enforcement Office and the Shore Owners Association.

Judy Shea- Why do this every 3 years, why not ever year?

Supervisor Politi- Every year this can become costly. I think on a seasonal place every 5 years is good.

Judy Shea- Are you starting with everyone doing this first then you have records?

Supervisor Politi- Shore owners have records of who was pumped this year and last year and so forth.

Ronald Briggs- Georgia you made a comment that there are 100 systems on the Lake how do you know this number?

Georgia Jones- We have counted them.

Ronald Briggs- So you know there are 100 systems and how many people have utilized your service. Do you know what the difference is between the two? Can you give this information to Mike?

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Georgia Jones- Oh sure I can do that. There are places that aren't even members of shore owners we have talked with them.

Ronald Briggs- So you have some great records. Thank you.

Georgia Jones- It's great to have cooperation with Village, Town and Shore owners. At one point we couldn't occupy our place until it had been looked at and help was offered.

Supervisor Politi- I am not going to close this public hearing keeping it open for 30 days, I thank you all for coming and for your insight.

UNSAFE BUILDING LAW

Supervisor Politi- I would like to open public hearing to discuss law for Unsafe Buildings.

Ronald Briggs- It wasn't crystal clear whether you could pose a lean against a real property. The question was if the homeowner refuses to do this and the town has to how do we impose cost against the real property. This local law makes it so we can do this. This is a vehicle to insure that these building are designated unsafe and if homeowner doesn't remove it we can do so and impose a lien against the real property.

Supervisor Politi- This is really about buildings that are dangerous and unsafe. With open doors and windows making it accessible for vagrancy and rodents. Making it a danger for health or general welfare of the public. So many communities are affected now by abandoned building this is an attempt to correct this situation. We have a mobile home down on Balsam that has been abandoned for years and needs to go. The owner can't afford to get rid of it.

Kelly Griffin- So if you remove this wont the cost go on the owner?

Supervisor Politi- It goes on the land. So if sold this would be part of it. We have several.

Laurie Dudley- Only if they sell the property?

Ronald Briggs- We have a right to foreclose on the lien. I don't know if the town would do that. We could foreclose just like a mortgage but I am not sure if this is something we would do.

Councilman Doty- Our sole purpose is safety.

ADJOURNMENT

No one came for the public hearing in objection to the Inspection of Septic Systems on Lake Placid Lake and Unsafe Building Law. Supervisor Politi closed the public hearing at 7:05pm.

Respectfully submitted,

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Laurie Curtis Dudley
Town Clerk