

The Town Board of the Town of Ballston met as the Board of Health at 7:00 p.m. on Tuesday evening, May 21, 2013 at the Town Hall on Charlton Road.

Present:

Patricia Southworth	-----	Supervisor
Timothy Szczepaniak	-----	Councilman
William Goslin	-----	Councilman
Kelly Stewart	-----	Councilwoman
Carol Shemo	-----	Clerk
Thomas Johnson	-----	Building Inspector
Absent: Mary Beth Hynes	-----	Councilwoman
Murry Brower	-----	Counsel

The purpose of the meeting was to discuss the septic system failure at 15 Nolan Road and to determine a course of action. Building Inspector Johnson requested the meeting to consider a sewage complaint from a neighbor on Nolan Road and to request the Board's guidance on the way to proceed.

Mr. Johnson sent Ms. Van Dusen a letter on April 12, 2013 concerning an inspection of her property on that date. He noted a quantity of wastewater on the surface of the ground in the area behind the house. He cited Ms. Van Dusen for violation of local and New York State Health Codes and pursuant to Section 73-2F (1) of the Code of the Town, this problem needed to be corrected within thirty (30) days of receipt of the notice.

Ms. Van Dusen had her septic tank pumped but this was only a short term fix.

BOARD OF HEALTH RESOLUTION 13-002
ORDER REQUIRING A REPAIR OR REPLACEMENT OF THE
WASTEWATER SYSTEM LOCATED AT 15 NOLAN ROAD PURSUANT TO
SECTION 73-2F (2) (b) OF THE TOWN CODE OF THE TOWN OF BALLSTON

A motion was made by Councilman Szczepaniak and seconded by Councilman Goslin to repair or replacement of the wastewater treatment system located at 15 Nolan Road pursuant to Section 73-2F (2) (b) of the Town Code of the Town of Ballston.

- 1. The premises are a single family dwelling located at 15 Nolan Rd, Town of Ballston.**
- 2. A quantity of wastewater is surfacing on the ground in the area behind the house.**
- 3. To comply with the Town Code, the services of a licensed design professional must be engaged to design a repair or replacement of subject wastewater treatment system.**
- 4. The correction of the wastewater treatment system must commence within 30 days of the service of this notice and shall be completed within 60 days thereafter unless the Town Board, for good cause shown, and in its discretion, extends such time.**
- 5. A hearing before the Town Board in relation to the failed wastewater treatment system, will be scheduled not less than five business days from the date of service of this notice. Said hearing will be held at the Town Hall located at 323 Charlton Rd.**
- 6. In the event of neglect or refusal to comply with the order to correct such wastewater treatment system, the Town Board is authorized to provide for its correction, to assess all expenses thereof against the premises and to institute a special proceeding to collect the costs of correction, including but not limited to legal, surveying, engineering and architectural expenses.**

A Process Server will be hired to serve Ms. Van Dusen with this order by the Town of Ballston Board of Health as soon as possible.

Respectfully submitted,

Carol R. Shemo
Town Clerk