

Minutes of the Town of Marble
Special Meeting of the Board of Trustees
June 28, 2018

- A. Call to order & roll call of the Special Meeting of the Board of Trustees – The meeting was called to order by Mayor Ryan Vinciguerra at 7:05 p.m. Present: Ryan Vinciguerra, Mike Yellico and Larry Good. Absent: Max Gibbons and Tim Hunter. Also present: Ron Leach, Town Clerk and Terry Langley, minutes.
- B. Public Hearing to consider adoption of Ordinance No. 4-2018 regarding updated OWTS regulations. (The referenced regulation is attached by reference to the 6/28/2018 minutes. A copy of the regulation can be obtained from the Marble Town Clerk.) Larry Good made the motion to go into public hearing. Mike Yellico seconded and the motion passed unanimously. Tom Williams asked the purpose of updating the OWTS regulations. Mike explained that the state had updated their OWTS regulations and, by law, the town had to adopt the updated regulations. Tom asked about the changes, particularly in relation to the inspection required upon transfer of title. Ryan explained that this is one of the options the town could adopt and said that he favors option 4 which states that, if an owner can provide proof of inspection performed within three years of transfer of ownership that no further inspection would be required. Tom asked about enforcement and Larry directed him to page 20 of the regulations which spells out procedures and fees. Tom asked about monitoring and enforcing inspection of properties that had long term ownership and were not being sold. Ryan pointed out that inspections would not necessarily result in the need for pumping and cleaning. Tom asked what an inspection covered and Ryan explained what an inspection would cover. Larry said that much of this is explained on pages 69 and 70. Tom said that failed septic systems are the second most common cause of pollution of water systems. Larry said that, previously, pumping was mandatory every three years and that this changed the requirement for pumping to a requirement for inspection. Ryan again spoke in favor of suggestion #4. Mike agreed. Ryan suggested having the inspector here for set days and inviting citizens to book an inspection on those days. Ron asked about setting a baseline for the date and suggested the date that this ordinance is adopted. Ron explained that the regulations would be sent to the State who would then approve them and an ordinance would then be adopted. Mike moved that the updated OWTS regulations be adopted with option #4. Discussion followed. Larry Good pointed out that point 5, pg. 53, allowed for the use of tire chips but that previously the town had not approved this. He asked about just leaving this out or addressing not allowing tire chips. Larry suggested language that tire chips are not to be used in any type of OWTS system within the town of Marble. He also pointed out that on page 65 there was a section concerning incinerating toilets and he would like to exclude those with language such as the local board of health does not approve the use of incinerating toilets. Mike Yellico would also like to exclude composting toilets. and said that the county does not like these and that they are basically an outhouse. He feels that this is not proven technology and that all should have OWTS systems. Larry said that there are people currently using composting toilets. He suggests making them part of the inspections. Ryan said that they are allowed by the state and that this needs more research. John Stalter said that there was still an OWTS system required for gray water and that their

composting toilet has never been a problem. Larry asked for clarification on the fee structure for the permit process. He went through the fees as listed on page 13. Ryan said that these fees were part of the previous regulations and do not significantly add to overall costs of construction. Ron asked for clarification of the language of the original motion concerning the inspection options which, in essence changes a three cleaning to a three-year inspection and adds the transfer of title clause which waives the inspection requirement on sale providing proof of an inspection within the previous three years is provided. Larry Good made a motion of amend the original motion to include prohibiting tire chips and incinerating toilets and striking any further mention of incinerating toilets. Mike Yellico seconded and the motion passed unanimously. Attorney Kendall Burgemeister will add these to the regulations to be adopted by the town and will send them to the state for approval.

- C. Larry Good moved to adjourn the public hearing and the special meeting. Mike Yellico seconded and the motion passed unanimously. The meeting was adjourned at 8:00 p.m.

Respectfully submitted,

Terry Langley