

I wanted to take a minute to share with everyone what I learned from a meeting I had with the New York State Department of Health this week(4/7/15). I drove to Herkimer and sat down with a representative from the Department of Health and also the engineer who worked with Mr. Abdella and approved the septic system plans on May 10, 2001.

Below (**in bold**) are excerpts taken directly from the Minutes of the Caroga Town Board work session meeting held Thursday January 22, 2015 and also Wednesday February 11, 2015 with my additions underneath.

What is the capacity of the Septic System? Mr. Ottuso responded 10,000 flushes per day. Council Member Frasier thought it was 60,000.

-Septic design is based on gallons per day (gpd), not flushes per day. The numbers stated above are incorrect and correlate to a system with a capacity to handle 30,000 gpd-180,000 gpd.

-The actual septic system at Sherman's is designed and permitted by New Yorks Department of Health for 5,000 gpd. The Department of Health has guidelines for determining tank sizes and flow rates for septic systems based on the activity or business the system will serve. The septic system at Shermans is designed specifically to handle septic input from 2 locations on the property. One source being the main building (which is designed for a 100 seat banquet hall allowing 1 meal per seat per day), the other location is an exterior restroom facility (which is designed to handle about 200-250 people per day).

Council Member Glenn asked if the Town Center is going full bore with merchants, restaurants, and events will there be enough capacity in the system. Mr. Mraz stated the system was designed to handle everything the Abdella's owned and some.

The septic system is designed to handle the current flows mentioned above. There is no room to add any additional gallons to the system. The Department of Health recognizes the main Shermans building as a "Banquet hall" which the septic system was ultimately designed for. The guidelines for a banquet hall allow 10 gpd per seat. A regular restaurant is required to design their septic systems to handle 35 gpd per seat and 15 gpd per employee.

If the ultimate vision of Shermans is one with merchants, restaurants, and events our current system is insufficient to handle those needs.

Will Mr. Abdella have rights to the septic system? “Yes.”

7. The DONOR reserves the right to have access to and use of the Wastewater Treatment System the DONOR is donating to the TOWN. The TOWN shall make capacity available in the System to any future use of the two (2) parcels identified in Paragraph 5 above subject to the approvals of the Town of Caroga, NYS Department of Health, NYS Department of Environmental Conservation and the Adirondack Park Agency.

It should be noted that the Department of Health will not permit any additional gallons into its current relay of septic tanks. As doing so is in violation of basic septic design. In order to provide the DONOR access to the current *Wastewater Treatment System* (the mounded field in the rear of the property) the Town may be responsible to install a new series of septic tanks to provide capacity for “*any future use of the two (2) parcels identified in Paragraph 5*”. In doing so, we will lose the ability to run the septic from Shermans through the *Wastewater Treatment System* (as the *Wastewater Treatment System* is designed to treat no more than 5,000 gpd).

A resident noted that if the town owns the leach field but the Abdella’s are going to have the ability to utilize.... “If they develop it,” Mr. Mraz stated. Who would be responsible for the expansion? Mr. Mraz stated the town.

“...The TOWN shall make capacity available in the System to any future use of the two (2) parcels identified in Paragraph 5...”

Is there room for a campsite? Mr. Abdella has retained the larger section of the property for his vision.

6. The DONOR reserves the right to use the two (2) parcels identified in Paragraph 5 above for a Recreational Vehicle Camp/Park [any and all law full uses including but not limited to] and all other uses allowed by the Town of Caroga’s Zoning ordinance and the Adirondack Park Agency.

I would like to point out that it is very common for RV users to add odor control chemicals (OCC’s) to their RV holding tanks which eliminate odors from human waste. These chemicals are harmful to septic systems as they kill off bacteria which normally would breakdown septic waste. The input of these chemicals into the current wastewater treatment

system should be not taken lightly considering the potential for system damage and also contamination of Mead creek and Caroga Lake.

There would be a charge system established to use the town system. Is that in the agreement? “No”

The agreement mentions nothing about costs of septic expansion. It only states “...*The TOWN shall make capacity available in the System to any future use of the two (2) parcels identified in Paragraph 5...*”

We must establish a limits here. Otherwise the town is at risk of losing access to the *Wastewater Treatment System* and will need to install a new system. Space IS limited for septic/leach field construction.

Council Member Sullivan re-reads from the document. “The DONOR reserves the right to have access to and use of the Wastewater Treatment System the DONOR is donating to the TOWN. The TOWN shall make capacity available in the system to any future use of the two (2) parcels identified in Paragraph 5 above subject to the approvals of the Town of Caroga, NYS Department of Health, NYS Department of Environmental Conservation and the Adirondack Park Agency. The DONOR reserves the right to use the existing groundwater well and electrical system located in the Blue Building on the North side of NYS Route 10 for any future development.” “So yes,” Council Member Sullivan stated, “We would have to be responsible for the expansion.” He noted any system would have to be engineered/designed.

It should be noted the Town of Caroga does not own the blue building or have written access to it. The Department of Health said it is imperative that whoever is responsible for the maintenance and upkeep of the system has access to the control and alarm systems located in the blue building.

A relay of individual tanks makes up the Shermans septic system. The tanks have septic pumps which move sewage down the line, and ultimately into the 3 mounds at the end of the property. If a pump fails in any of these tanks it will show up on the alarm control panel which we do not currently have access to. Furthermore, the pumps are located on the bottom of the tanks (NOT on an easily accessible rail system as suggested by the Department of Health). Fixing them requires that the tank be pumped out, and someone must enter into the tank to replace the pump.

12. ENTIRE AGREEMENT:

A. This donation Agreement may only be modified by a written instrument signed by both parties

This agreement CAN be changed. I see the conditions of the DONOR being extremely limiting to the full potential of a "Town Center" in Caroga. The existing conditions place enormous financial risk and liability on the town's citizens.

This is not a debate on whether or not this could be good for the town. Of course change is good for this town! But the conditions in the donations agreement need to be addressed to protect Caroga's citizens.