

**RESOLUTION**  
**of the**  
**MANAGEMENT COMMITTEE**  
**of**  
**LAKE WALLKILL COMMUNITY, INC.**

**WHEREAS**, Article VII, Section 10 of the by-laws, provides that the Management Committee is the legislative and policy making body of Lake Wallkill; and

**WHEREAS**, Article II of the by-laws states in part “*The purposes for which it is formed are: to acquire, hold, own and provide for the care, maintenance and control of the roads, parks, dams, beaches, lakes and waters and streams connected therewith*”; and

**WHEREAS**, the Rules and Regulations Article XIII, Section 1, reads: “*Members are advised to periodically pump their septic/sewerage systems. Frequency is dependent upon the number of people using the system, the age of the system or use of washing machines and dishwashers. In any event, septic/sewerage systems shall be pumped, at a minimum, every three years and proof of same must be filed at the office within 30 days. Effective 1 January 2008, failure to provide adequate documentation will subject the home owner to the assessment of non-pumping fee in accordance with the annual fee structure schedule.*”; and

**WHEREAS**, the Management Committee has a specific interest in maintaining an appropriate water quality that supports the recreational use of Lake Wallkill and acknowledges that non-functioning and/or inadequately maintained Septic Systems contribute nutrients to runoff that ultimately flow to Lake Wallkill. Increased nutrient loads raise the probability for vegetation and algae growth to the detriment of recreational uses of the Lake.; and

**WHEREAS**, the Management Committee has a responsibility to effectively enforce the Rules & Regulations of Lake Wallkill will set a non-pumping fee and update the Schedule of Fees beginning in 2023; and

**WHEREAS**, the Management Committee will set an implementation plan for the charging the non-pumping fee as well as communicating terms that define compliance for varying types of septic systems; and

**WHEREAS**, the Management Committee, has determined that it is in the best interests of Lake Wallkill and the entire Lake Wallkill Community that this resolution be made to set the non-pumping septic fee on the Schedule of Fees; and

**NOW, THEREFORE, BE IT RESOLVED** by the Management Committee that proposed non-pumping septic fee be established as follows:

1. The Non-Pumping Septic Fee shall be \$350.00 (subject to updates by the Management Committee at the Annual Budget Meeting)
2. Income from the Non-Pumping Septic Fee shall, annually, be reserved on the Balance Sheet for use in funding Lake Water Quality Improvement Projects.
3. The Rules and Regulations require the pumping of septic systems at a minimum every three (3) years. All members are encouraged to assess their properties septic system and the use of that system (# of people, appliances connected (dishwashers, washing machine, etc.), Year-round vs Seasonal) in determining a frequency shorter than three years if appropriate.
4. Members are required to submit documentation of their compliance to the Office in the form of a hard copy or a scanned copy via email. This should be in the form of a copy of the receipt for pumping or other documentation appropriate for your type of septic system (see types below)
5. This septic pumping policy is intended to be current with new technologies for managing septic waste. The following examples are detailed for clarity:
  - a. Older Systems characterized as less than 500-gallon tank and limited leach field. Should only be for limited seasonal use and inspected to insure proper functionality. Compliance to the policy requires documentation of pumping a minimum of every three (3) years.
  - b. Traditional Septic systems consisting of a 500-1,000 (or larger) gallon holding tank and a leech field utilizing lateral leaching pipes or a leaching tank. Compliance to the policy requires documentation of pumping a minimum of every three (3) years.
  - c. Holding Tanks that require pumping each time they are full. Would typically require pumping more frequently than every three (3) years. Properties with holding tanks can supply documentation for their pumping at a minimum of every 3 years.
  - d. New Technology Septic Systems that are characterized as requiring an annual maintenance agreement (enforced by the County Board of Health). These systems should supply a copy of their inspection report indicating a pumping is not required and/or a receipt for pumping as applicable at least once every three (3) years.

## IMPLEMENTATION:

The Management Committee shall include a Non-Pumping Fee on the Schedule of Fees for the Budget Year 2023; however, no Non-Pumping Fees will be charged in the calendar year 2023. Members are strongly encouraged to have their Septic Systems pumped during this grace period especially if they have not been pumped in the last three years.

In September of 2023, Lake Wallkill Community INC shall send written notice to all property owners that are in a non-compliant state as a reminder that they have not submitted documentation to comply with the septic pumping rules and to inform them that the fee will be assessed if they are not compliant by the end of 2023.

At the end of 2023, all member accounts will be evaluated for compliance to the Septic Pumping requirements. Any property that has not submitted documentation as outlined in Section 4 & 5 of this resolution shall be assessed a Non-Pumping Fee and added to the 2024 Dues Bill.

The Non-pumping fee shall be applied annually, each year a property is in a non-compliant state (which could be for 2 or more consecutive years).

This resolution shall apply to all properties in Lake Wallkill that have a septic tank/system including seldom used or vacant properties

### **November 2023 Resolution Revision – Extended Grace Period.**

In the first year of implementing this Septic Pumping Resolution, the Management Committee is interested in allowing a one time extension of the compliance deadline for Septic Pumping.

The deadline for Members to be compliant will be extended to June 30, 2024. Any property failing to meet the requirements will not be eligible for any credit of the non-pumping fee.

Members that are not compliant as of the original deadline (December 31, 2023) will be billed and must pay the non-pumping fee by the due date on your bill. Once your septic is compliant with the pumping requirement (prior to June 30, 2024) your account will be credited for the non-pumping fee. We will not issue any refunds, you will only be eligible for a credit on your account.

Should your septic become compliant prior to the April 1, 2024 due date for your bill, the fee can be credited prior to your 2024 payment.

**ADOPTED** this Saturday, November 18<sup>th</sup>, 2023 by the Management Committee of Lake Wallkill Community, Inc., in the presence of a quorum.

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Jennifer Costello

Secretary