

EAST AMWELL BOARD OF HEALTH MINUTES
7:30 PM East Amwell Municipal Building
January 22, 2018 – Reorganization Meeting

Statement of Compliance

The reorganization meeting of the East Amwell Board of Health was opened on January 22, 2018 at 7:32 PM. The following notice was read, “In compliance with the Open Public meetings Act, this meeting was advertised in the December 20, 2018 issue of the Hunterdon County Democrat. Notice of this meeting was forwarded to the Township Clerk’s office, posted on the Township bulletin board, and sent to the Hunterdon County Democrat on January 16, 2018.”

Roll call was held by Ms. Georgett

Present: Tracy Carluccio
Les Hamilton
Larry Tatsch
Pauline Serafin
Janis Grover, Alt 2
Jennifer O’Sullivan – *Hunterdon County Div. of Public Health*

Excused: David Wang-Iverson

Absent: Peter Miller, Leonard DeCandia, Alt. 1

Annual Reorganization

Board of Health Secretary Rosemary Georgett asked for nominations for the Board’s Chair. A motion was made by Ms. Serafin and seconded by Mr. Tatsch nominating Tracy Carluccio as the Board’s Chair. Hearing no other nomination, a motion was made by Mr. Tatsch and seconded by Ms. Serafin to close the nominations. The motion was unanimously carried with no objection or abstention. The Board congratulated Chairwoman Carluccio and she took over the meeting.

The Secretary asked for nominations for the Board’s Vice Chair position. A motion was made by Mr. Hamilton and seconded by Ms. Serafin nominating Larry Tatsch as the Board’s Vice Chair. Hearing no other nomination, a motion was made by Mr. Hamilton and seconded by Ms. Serafin to close the nominations. The motion was unanimously carried with no objection or abstention.

The Chair asked for nominations for the Board’s Secretary and noted this was a Board Member position. A motion was made by Mr. Tatsch and seconded by Mr. Hamilton nominating Pauline Serafin as the Board’s Secretary. The motion was unanimously carried with no objection or abstention.

A motion was made by Mr. Tatsch and seconded by Mr. Hamilton to appoint Rosemary Georgett as the Board of Health Secretary. The motion was unanimously carried with no objection or abstention.

It was noted for the record that Pauline Serafin and Larry Tatsch volunteered to be the Board of Health’s well test witnesses. Other Board members were asked if they would like to serve, but there was no response. A motion was made by Mr. Hamilton and seconded by Ms. Grover to appoint Pauline Serafin and Larry Tatsch as well test witnesses. The motion was unanimously carried with no objection or abstention.

Neither Mr. Tatsch nor Ms. Serafin had an interest in being primary for this role, but instead were interested in providing back up assistance. Mr. Tatsch requested that the Board continue to search for other members who would be the primary well test witness.

A motion was made by Mr. Hamilton and seconded by Ms. Serafin to appoint Teresa Stahl the Local Registrar of Vital Statistics. Secretary Georgett noted this is a 3 year appointment through 12/31/19. The motion was unanimously carried with no objection or abstention.

Subcommittee Appointments

Education/Health Committee: Les Hamilton
Groundwater Monitoring: Larry Tatsch
Ordinance Committee: Larry Tatsch, David Wang-Iverson, Tracy Carluccio
Preview Committee: Tracy Carluccio, David Wang-Iverson, Les Hamilton

2019 Meeting Schedule

A motion by Mr. Hamilton, seconded by Mr. Tatsch to approve the Board’s 2019 meeting schedule was unanimously approved with no objection or abstention. It was noted that the Board of Health will meet the fourth Tuesday of each month at 7:30 PM except in December when the Board will meet on the third Tuesday to avoid a conflict with Christmas Eve.

Approval of Professionals Contracts

Ms. Carluccio said she noticed in Ferriero Engineering’s Contract a Political Disclosure Contribution section under Non-Fair and Open Contract Contribution Prohibition Language about disclosing political contributions and suggested the Board consider the approval of any Contracts be conditional pending the addition of this clause. The Board agreed this statement should be included in all contracts, and any contract approval would be conditioning on the statement being added.

Mr. Hamilton said that in the contract from Gebhardt & Kiefer, the statement in item 7.A. which reads “Except with respect to affectional or sexual orientation and gender identity or expression, the contractor will ensure that equal employment opportunity is afforded to such applicants.....” sounds like they are making an exception and not providing these individuals with equal employment opportunities. Ms. Carluccio asked Ms. Georgett to follow up regarding this language and intent.

A motion was made by Mr. Tatsch and seconded by Mr. Hamilton to approve the Gebhardt & Kiefer Professional Contract conditional on clarification of the statement regarding equal employment opportunities and inclusion of a statement regarding the disclosure of political contributions. The motion was unanimously carried with no objection or abstention.

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**TOWNSHIP OF EAST AMWELL
HUNTERDON COUNTY, NEW JERSEY
RESOLUTION 01-19
RESOLUTION APPOINTING BOARD OF HEALTH ATTORNEY**

WHEREAS, there exists a need for the performance of legal services for the East Amwell Township Board of Health for the year 2019, and

WHEREAS, funds are, or will be made available for this purpose to be certified by the Treasurer; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1 *et seq.*) authorizes the hiring of an attorney without competitive bidding providing that the Resolution authorizing the award of contracts for “Professional Services” without competitive bidding and the contract itself be made available for public inspection.

NOW THEREFORE BE IT RESOLVED, by the Board of Health of the Township of East Amwell, Hunterdon County, New Jersey, as follows:

1. Richard P. Cushing, Esq. of Gebhardt and Kiefer, P.C., is hereby appointed to serve as Board of Health Attorney for the Township of East Amwell during the year 2019 in order to provide legal services for the East Amwell Township Board of Health.
2. The Board of Health shall enter into a mutually agreeable written compensation agreement with said Attorneys within thirty (30) days of the date of this Resolution.
3. The Agreement is awarded without competitive bidding as a “Professional Service” under the provision of the Local Public Contracts Law, N.J.S.A. 40A:11-5.

By Order of the East Amwell Township
Board of Health

Tracy Carluccio, Chairperson

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Ms. Carluccio said that Ferriero’s engineering rates remain the same as last year and the fee for Walt Wolf’s soil witness increased by 2% which is presumably to keep pace with his expenses associated with being in the field. Contract terms are the same as last year.

Mr. Hamilton said this increase seems reasonable after many years of no increases. All were in agreement that Walt Wolf has done a great job of witnessing for many years, and has a valuable history in the township.

A motion was made by Mr. Hamilton and seconded by Ms. Serafin to approve the Ferriero Engineering Contract. The motion was unanimously carried with no objection or abstention.

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**TOWNSHIP OF EAST AMWELL
HUNTERDON COUNTY, NEW JERSEY
RESOLUTION 02-19
RESOLUTION APPOINTING BOARD OF HEALTH SOIL TEST WITNESS**

WHEREAS, there exists a need for an engineer and a soil test witness for the East Amwell Township Board of Health for the year 2019; and

WHEREAS, funds are, or will be made available for this purpose to be certified by the Treasurer; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1 *et seq.*) authorizes the hiring of professionals without competitive bidding providing that the Resolution authorizing the award of contracts for “Professional Services” without competitive bidding and the contract itself be made available for public inspection.

NOW THEREFORE BE IT RESOLVED, by the Board of Health of the Township of East Amwell, Hunterdon County, New Jersey, as follows:

1. Dennis W. O’Neal, P.E. and Walt Wolf of Ferriero Engineering are hereby appointed to serve respectively as Board of Health Engineer and Board of Health Soil Test Witness for the Township of East Amwell during the year 2019 in order to provide such services for the East Amwell Township Board of Health.
2. The Board of Health shall enter into a mutually agreeable written compensation agreement with said professional within thirty (30) days of the date of this Resolution.
3. The Agreement is awarded without competitive bidding as a “Professional Service” under the provision of the Local Public Contracts Law, N.J.S.A. 40A:11-5.

By Order of the East Amwell Township
Board of Health,

Tracy Carluccio, Chairperson

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Ms. Carluccio said there are no changes to the contract with Uhl and Associates that we entered into late last year.

A motion was made by Mr. Tatsch and seconded by Mr. Hamilton to approve the Uhl and Associates Contract conditional on the inclusion of a statement regarding the disclosure of political contributions. The motion was unanimously carried with no objection or abstention.

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**TOWNSHIP OF EAST AMWELL
HUNTERDON COUNTY, NEW JERSEY
RESOLUTION 03-18
RESOLUTION APPOINTING BOARD OF HEALTH HYDROGEOLOGIST
UHL AND ASSOCIATES, LLC**

WHEREAS, there exists a need for a Hydrogeologist for the East Amwell Township Board of Health for the year 2019; and

WHEREAS, funds are, or will be made available for this purpose to be certified by the Treasurer; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1 *et seq.*) authorizes the hiring of professionals without competitive bidding providing that the Resolution authorizing the award of contracts for “Professional Services” without competitive bidding and the contract itself be made available for public inspection.

NOW THEREFORE BE IT RESOLVED, by the Board of Health of the Township of East Amwell, Hunterdon County, New Jersey, as follows:

1. Vince Uhl of Uhl and Associates, LLC is hereby appointed to serve as Board of Health Hydrogeologist for the Township of East Amwell during the year 2019 in order to provide such services for the East Amwell Township Board of Health.
2. The Board of Health shall enter into a mutually agreeable written compensation agreement with said professional within thirty (30) days of the date of this Resolution.
3. The Agreement is awarded without competitive bidding as a “Professional Service” under the provision of the Local Public Contracts Law, N.J.S.A. 40A:11-5.

By Order of the East Amwell Township
Board of Health

Tracy Carluccio, Chairperson

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Ms. Carluccio said the Contract for Environmental Consulting services is from Princeton Hydro, and said we don’t need them for the monitoring of Ridge at Back Brook any longer but may need them for other services therefore we may consider their contract. Mr. Tatsch asked if they would be doing different work from Uhl, and Ms. Carluccio said yes for example while Uhl does ground water and aquifer while Princeton Hydro would do environmental consulting on surface water.

A motion was made by Mr. Hamilton and seconded by Mr. Tatsch to approve the Princeton Hydro Contract conditional on the inclusion of a statement regarding the disclosure of political contributions. The motion was unanimously carried with no objection or abstention.

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**TOWNSHIP OF EAST AMWELL
HUNTERDON COUNTY, NEW JERSEY
RESOLUTION 04-18
RESOLUTION APPOINTING BOARD OF HEALTH ENVIRONMENTAL CONSULTANT
PRINCETON HYDRO, LLC**

WHEREAS, there exists a need for Environmental Consulting for the East Amwell Township Board of Health for the year 2019; and

WHEREAS, funds are, or will be made available for this purpose to be certified by the Treasurer; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1 *et seq.*) authorizes the hiring of professionals without competitive bidding providing that the Resolution authorizing the award of contracts for “Professional Services” without competitive bidding and the contract itself be made available for public inspection.

NOW THEREFORE BE IT RESOLVED, by the Board of Health of the Township of East Amwell, Hunterdon County, New Jersey, as follows:

1. Stephen Souza of Princeton Hydro, LLC is hereby appointed to serve as Board of Health Environmental Consultant for the Township of East Amwell during the year 2019 in order to provide such services for the East Amwell Township Board of Health.
2. The Board of Health shall enter into a mutually agreeable written compensation agreement with said professional within thirty (30) days of the date of this Resolution.
3. The Agreement is awarded without competitive bidding as a “Professional Service” under the provision of the Local Public Contracts Law, N.J.S.A. 40A:11-5.

By Order of the East Amwell Township
Board of Health

Tracy Carluccio, Chairperson

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Announcements/Agenda Review – None

Presentation of Minutes –

December 18, 2018 Regular Meeting Minutes: **A motion by Mr. Tatsch, seconded by Ms. Serafin, to approve the Board’s minutes with minor edits was unanimously carried with no objections and Ms. Grover abstained.**

Open To The Public

Ms. Carluccio opened the floor to public comment. Seeing no members of the public come forward, **a motion by Mr. Hamilton, seconded by Mr. Tatsch, to close to the public was unanimously carried with no objection or abstention.**

Unfinished And New Business

A. Hunterdon County Division of Public Health Inspector’s Report

County Health Inspector Jenny O’Sullivan had nothing to report.

B. Septic System Alteration - Block 18, Lot 9, 200 Old York Road – Charles Tiedeman introduced himself as engineer for a property on Old York Road that requires some waivers. Mr. Tiedeman said it is

a 0.292 acre lot where much of the property is in the road, and there is only $\frac{1}{4}$ acre to work with. He continued that the existing septic system is a single 1,000 gallon tank with a single lateral, and during a review in September 2018, the water level in the lateral was well into the pipe and so it needs to be upgraded. Mr. Tiedeman said that due to limited area on the property they are recommending an Ecoflo Cocoa filter advanced treatment unit with one tank and a 1,000 gallon tank. He continued explaining that the septic effluent would be going into a mounded system. He said that while doing the soil tests they hit shale bedrock at 5.5 to 6.0 feet, and the water did not drain as needed. Mr. Tiedeman said that after checking with Bob Vaccarella of Hunterdon County, he conducted a soil permeability class rating test and proved the zone of disposal in the bed. He was able to reduce the depth of the zone of treatment to 18 inches by using the advanced treatment unit.

Mr. Tiedeman said he was asking the Board to approve advanced wastewater technology (AWT), and he asked if there were any questions. Mt. Tatsch asked if it was aerobic system and Mr. Tiedeman said no, it is much simpler than an aerobic system because there are no mechanical parts to deal with. Ms. Carluccio said regarding the second waiver East Amwell requires 2.08 sf/pgpd and this system only complies with the smaller sizing in the State code due to the limited area. She continued asking if the property was 0.3 acres; Mr. Tiedeman said it is actually 0.4 acres and $\frac{1}{4}$ acre of this is buildable. Ms. Carluccio asked Mr. Tiedeman to add the street name to the map, and Mr. Tiedeman said the "as built" will have this. She continued that the County letter has a misprint under item 2 saying it is aerobic system and it should say that it is an AWT. Ms. Carluccio said the basin flood test failed and the information about this was in the Board's packets. There was discussion regarding location of soil tests, the test results, and how this was used to in the design. Ms. Carluccio asked about the location of neighboring wells, and Mr. Tiedeman said he wasn't able to tell where the well is on Lot 8. Ms. Carluccio said we will need to know there are no wells within 100 feet and measurements of all neighboring wells need to be done. Mr. Tiedeman said he will identify neighboring wells and work with Hunterdon County to document this. Ms. Carluccio said any neighboring well closer than the required 100 feet will require a waiver. Ms. Carluccio said the well on this property is only 45 feet from the septic system and the State requires a 50 foot separation. She continued that it is better than the current 35 foot separation. She said that an Ultra Violet Treatment device needs to be installed with passing coliform tests before and after installation due to the proximity of the system to the existing well for the house..

Ms. Carluccio asked the Board if we should wait for information about the locations of the wells on adjoining properties or vote conditionally because the other lots are so close. Mr. Dosch said the other lot is a flag lot that goes all the way back to Manners Road with no house on it. Ms. Carluccio asked what lots have houses on them, and Mr. Tiedeman said Lot 8 which is next door. There was further discussion regarding other properties in the area and Mr. Tiedeman said he will put together an aerial map showing surrounding properties. Mr. Hamilton said to check all properties to ensure all distances are met and Ms. Carluccio said to include Lot 15. Mr. Tatsch said we are locked into the positioning with this lot size. He continued that we could provide conditional approval upon identification of neighboring wells and Mr. Tiedeman would need to come back for a waiver if there are any wells within 100 feet.

Ms. Carluccio said the toe of mound is critically important because if there is run off into a neighboring property, it is difficult to remedy and we have had problems in the past. She continued that we need to be absolutely sure that the engineer will ensure there are no run off problems and the grading is done properly in particular when houses are in close proximity. Mr. Tiedeman said they have a survey of the property that will be used for the design elevations. He continued that Hunterdon County now has a requirement that as-builts include certification that there is no drainage onto neighboring properties and he will take care of this. Ms. Carluccio said the toe of the slope is also a concern and the Board understands the complications; however the 5:1 is much more forgiving than 3:1. Ms. Carluccio asked about the location of the old field and laterals for the new system. Mr. Tiedeman said the sewer line will

be new, the existing septic tank will be taken out and the old lateral will be removed as noted on the design.

Mr. Hamilton said it looks like the tank is being made of polypropylene, and Mr. Tiedeman yes it is but he doesn't know how thick the wall is. Mr. Hamilton asked how it will withstand the soil pressure, and Mr. Tiedeman said the manufacturer has made it corrugated and the alarm has a modem with a battery. There was discussion about the issue with an alarm not working during power outage. Ms. Carluccio said we need a new invention or technology to address this, such as a solar powered system. Mr. Hamilton asked if the service contract requires the battery be checked, or if the battery died would the system provide a warning. Mr. Tiedeman said he doesn't know because that would be covered by the maintenance company. Ms. Carluccio explained that we had a very sophisticated AWT system installed within the township that failed and cost a large amount of money to repair.

Waivers and conditions:

1. The use of the Ecoflo Coco filter EC7-500 gallon pretreatment tank and design is approved.
2. The system is based on the formula used for aerobic systems which is .956 sf/gpd for pressure dose systems which does not comply to the East Amwell requirement of 2.08 sf/gpd. Since the aerobic system is proposed only 478 square feet is required, the design provides for 480 square feet of disposal area. Waiver is approved.
3. Engineer provided testimony to all of the soil testing which was conducted on the property since East Amwell requires in-situ testing. There was an attempted basin flood test 1 at 60 inches, which did not drain and was a failed test. Engineer did perform soil permeability class rating tests at 30 and 55 inches which demonstrated passing K1 and K2 results. Waiver to allow the soil permeability class rating test and no in-situ permeability test is approved.
4. The proposed disposal bed will be only 45 feet from the existing well on the property, which does not meet the minimum 100 foot separation per code. As per 7:9A-4.3 the distance can be reduced to 50 feet provided there is 50 feet of casing. A letter from Stover's Wells and Pumps dated November 28, 2018 states that there is only 35 feet of steel casing. There must be an Ultra Violet Treatment device installed on the well. Well water tests for coliform before and after installation of the system is required; after installation a passing coliform test is required. The results of these tests will be provided to the Board before installation and then again after installation. Waiver approved with these conditions.
5. The proposed Ecoflo tank will be only 45 feet from the existing well which does not meet the minimum separation distance of 100 feet as per East Amwell ordinance. Waiver is approved.
6. The toe of the mound will be only 3 feet from the property line, which does not meet the minimum 25 foot separation distance according to East Amwell ordinance. The engineer shall inspect the grading during and after installation and provide a certification letter that all grading has not lead to any off site water issues. Waiver is approved.
7. The toe of slope is only 3:1 and not the required 5:1 slope according to East Amwell ordinance. Waiver is approved.

In addition, it is required that the identification of all neighboring wells on adjacent properties must be provided to the Board and included on the design map. If any wells are less than 100 feet the applicant is to return to a public meeting of the Board of Health and request waivers for those wells. Mr. Tastsch said the status of the coliform test conducted before installation and the results of a coliform test after installation is needed. He continued that this would give us information to show the baseline levels before and after installation results indicating that the UV lights are effective.

A motion by Mr. Tastsch, seconded by Mr. Hamilton, to approve waivers and conditions listed above for this septic system was unanimously approved with no objection or abstention.

Items of Discussion

- A. There were no education or health issues to be discussed. Mr. Tastsch said regarding the two wells on Boss Road that were not tested when drilled, both were tested on January 16th with Stover Wells drilling. Both wells tested at or beyond 30 gpm.
- B. Ms. Georgett reported that rabies clinic was well attended and a success.
- C. Select Fill Documentation for New Septic Construction – Ms. Carluccio said that a property owner had brought select fill slips to the Township and we have had a policy requiring this. She continued there were issues with select fill but now Hunterdon County has a practice where the material is certified on site and certification is reported to the county. Bob Vaccarella requested that we send a letter to Hunterdon County Health Dept. stating that East Amwell no longer needs to have these slips on file. **A motion was made by Mr. Tastsch and seconded by Ms. Serafin that East Amwell will no longer require that select fill certification slips be provide to the Township. The motion was unanimously approved with no objection or abstention.**
- D. Ridge at Back Brook Helistop Proposal – Ms. Carluccio said there was a letter from the Mayor to the NJDOT on the Township website which captures what the Township has said over the years about dangers of a helipad and the potential hazardous impact to various clubs and activities. She continued that it would interfere with use of trails that were part of the property transfer, as well as zoning approval of the Golf Course initially. If there should be a fuel spill it could pollute ground water and migratory birds as well as resident birds could be harmed due to air traffic coming in and going out. The letter contains legal arguments that the agreement with original owner, who still owns property, stating the property would not be overly developed and would instead be aligned with East Amwell’s plans to provide greenways, etc. and a helipad is inconsistent with this original intent. Mr. Hamilton said it took a lot of work to prepare that letter, and Ms. Carluccio said Sourland Conservancy had close to 1250 signature objecting to the helipad.

Ms. Carluccio asked if the Board had anything to discuss or add. She mentioned to the Board that if a helipad were installed monitoring wells downstream from its location may be needed. Mr. Tastsch said it going to be a helistop, not a helipad, which prohibits anything other than a landing site. He continued that a helistop does not include items such as fueling, cleaning, etc. but instead it would simply land to discharge passengers and take off. Ms. Carluccio asked Mr. Tastsch if he knew what the location would be and he responded that he expect it would be near the clubhouse but did not know exactly where.

Ms. Carluccio asked if anyone wanted to look into this further or make comment. Mr. Hamilton said that Mr. Wolfe’s letter said that if there was ever a crash, the material to put out a fire could be an issue to Back Brook and ground water because the firefighting foam contains toxic chemicals. Ms. Carluccio said our concerns would be ground water and surface water, and if anyone has something to

add please call her to discuss. Mr. Tatsch said he felt the key points have been well covered in depth in Mr. Wolfe's letter. Ms. Serafin recalled that there was a petition in favor of the helistop that was signed by individuals who are not from East Amwell and they felt it would not negatively impact East Amwell residents. There was further discussion regarding the helistop, background, and potential impacts.

- E. Board Secretary Report – Ms. Georgett said the website committee asked if the Board wanted to name a back up website administrator for Board of Health content. Ms. Carluccio asked that Ms. Georgett send an email about this to include members who were absent.

Mr. Hamilton said that on Board of Health forms, a line for a person's printed name should be added in addition to the signature line. He continued that this is because many people scribble their signature, that it could be done as forms were updated and it was agreed by the Board. Mr. Hamilton said he had been thinking about Mr. Warminsky, the property on High Mowing Road, and how the contractor had to go back after installation to reestablish swales for the slope to align with the original design. He continued by asking if the Board should require a follow up inspection by the engineer after the soil has settled to ensure a new septic system is working properly. Ms. Carluccio said there is an inspection by the County soil conservation inspector after everything is done. She continued that this inspection was done a few weeks after the High Mowing Road installation, and Mr. Hamilton said after an inspection a storm or soil settling could cause problems. There was discussion regarding the engineer's responsibility to ensure a system they design is working properly, and when there are problems people probably just repair it themselves. Ms. Carluccio said the Board should consider this requirement for when waivers are approved. Mr. Tatsch said that if a system is installed during the winter and there will be no growth, it is difficult to stabilize the soil so it doesn't roll off. Ms. Georgett said a resident called about a runoff issue today, and Mr. Hamilton said the contractor needs to fix problems but the engineer is responsible. Discussion continued and it was generally agreed that this is problematic. However the Board inserting itself may or may not be in order.

Correspondence – None

Bills of the Evening

A motion by Mr. Hamilton, seconded by Mr. Tatsch, to approve Bills of the Evening was unanimously carried with no objections or abstentions.

Open to the Public

There being no comments, a motion by Mr. Hamilton, seconded by Mr. Tatsch, to close to the public was unanimously carried with no objection or abstention.

Adjournment

A motion by Mr. Tatsch, seconded by Ms. Serafin, was unanimously carried to adjourn the meeting at 9:11 p.m.

Rosemary Georgett
Board of Health Secretary