

The regular meeting of the Board of Health was called to order at 7:30 p.m. Present for this meeting were: Tracy Carluccio, Tony Berberabe, Les Hamilton, Tim Martin, Ted Peyrek III, Larry Tatsch and David Wang-Iverson. Members absent: Jim Rosso. Also present: Carolyn Fritsch, Deputy Clerk.

In compliance with the Open Public Meetings Act, this meeting was advertised as a regularly scheduled meeting in the January 29, 2009 issue of the Hunterdon County Democrat. Notice of the meeting was discussed with and sent to the applicants, filed with the Township Clerk, posted on the Township bulletin board and sent to the Hunterdon County Democrat and the Trenton Times on December 10, 2009.

### **ANNOUNCEMENTS/AGENDA REVIEW**

Deputy Clerk Fritsch posed a question to the Board from Rabies Clinic Secretary, Pamela Dymek. Ms. Dymek asked if it was possible to pay one of the volunteers, Cheryl Cortina, who works the rabies clinic. Ms. Dymek stated Cheryl is such a wonderful help, assisting the Veterinarian by filling the syringes and having all the supplies prepped.

After a short discussion the Board's general consensus was: the Board greatly appreciates the help and assistance given by a volunteer, but volunteers do not get paid. Perhaps another kind of recognition, like a certificate, could be awarded to the volunteers.

### **PRESENTATION OF THE MINUTES** - November 17, 2009

**Mr. Hamilton motioned to approve the November 17, 2009 minutes, seconded by Mr. Wang-Iverson. The motion carried by unanimous vote, with two abstentions, Mr. Martin and Mr. Peyrek. No revisions were noted.**

### **OPEN TO THE PUBLIC**

Resident Russell Whitehead, 107 Wertsville Rd., identified himself for the record.

Mr. Whitehead stated that at the present time, the neighboring property is having a peat moss system installed. The ground on that property, 111 Wertsville Road, has been elevated 2-3 feet, and water is coming onto Mr. Whitehead's property. He had an inch of water in his cellar. The water is coming in on all four sides of his house. Mr. Whitehead is afraid his cellar will be destroyed.

Mr. Whitehead asked the Board why the neighboring property was allowed to keep all of the dirt that was excavated, on site. He stated Hunterdon County Soil Conservation District did come out to the site and had a sediment barrier installed, but Mr. Whitehead said that has not helped.

Ms. Carluccio addressed the letter faxed from Mark Symancek of Hunterdon County Soil Conservation District, dated December 7, 2009, regarding 111 Wertsville Road, B 25, L 19, the subject of Mr. Whitehead's complaint.

The letter states Mr. Symancek visited the site and looked at the septic system project. Mr. Whitehead's concern was excess water runoff from the septic field area coming into his basement, and stated that with the recent rain storm, he got more water in his basement than he had in the past for that type of a rain storm.

Mr. Symancek stated in the letter he could not verify the claim because there was no remaining evidence of such runoff, however, he recommended a shallow diversionary swale be constructed/graded at the foot of the existing mound slope to direct runoff to the rear of the property. Mr. Symancek's agency cannot require the swale be constructed; nonetheless it would be a simple goodwill gesture.

During his inspection of the property, Mr. Samancek noticed there was no sediment barrier, and directed Contractor Frank Pellegrini to immediately install a silt fence and scrape up any soil spilled over the curbing on Wertsville Road. Mr. Pellegrini agreed to comply.

District Inspector, Mike DePalma will be checking the site regularly to confirm compliance with the certified plans, and will issue inspection reports.

Mr. Samancek also states in the letter he discussed temporary bonding with Mr. Pellegrini.

Mr. Whitehead told the Board that he himself had constructed a swale to the rear of his property when he originally had water problems, 25 years ago.

Mr. Whitehead informed the Board the County had created curbing which extends across the driveway to the front of his house and around the side of the home. The curbing was broken when the heavy equipment was brought onto the 111 Wertsville Road site. This curbing helped to divert the water past Mr. Whitehead's property to a drainage ditch.

The decision was made to write a letter to Mr. Pelegrini of Hercules Septic/Sewer LLC and Doug Fine of ACT Engineering stating: It appears there has been a severe impact on the neighbor with the change in the runoff. We request that you construct a swale, as noted in the letter from the County, repair the curb and work with the neighbor to do whatever else is necessary to alleviate the problem.

**Mr. Martin motioned to close the public comment portion of the meeting, seconded by Mr. Tatsch, and carried unanimously.**

#### **UNFINISHED AND NEW BUSINESS**

##### A. Hunterdon County Inspector, Dan Wyckoff - Written Report

###### **1. MTBE - HESS GAS STATION - Update**

Current bacteriological sampling for the fourth quarter has been taken and has passed.

###### **2. OWENS - AKA WOODY'S - B 16, L 11 - 202 OLD YORK ROAD**

DEP Case Manager, Gerry Hahn was contacted. Project Manager, Dave McCallo reported the following:

Over 800 gallons of contaminated ground water has been removed. The well is pumped twice daily. Samples were submitted for testing on 11/18/09. The results were not available at the time of interview. There is good containment and the BTEX numbers are going down. The remediation is being effective, according to Mr. Hahn.

###### **3. 542 SPRING HILL ROAD - COMPLAINT # CO82109**

No update available. The last visit on 10/23/09 went unanswered.

##### B. Preview Committee

Nothing at this time.

#### **ITEMS OF DISCUSSION**

##### A. Education and Health Issues

No comments

**B. Administrative Officer's Report**

Deputy Clerk Fritsch confirmed the Reorganization date for the Board of Health will be Tuesday, January 19<sup>th</sup>, 2010 at 7:30 p.m.

**CORRESPONDENCE**

- A. New Jersey – no comments
- B. East Amwell – no comments
- C. Miscellaneous –

Ms. Carluccio stated she has been in touch with neighboring municipalities regarding the hiring of a Board of Health Attorney. In most cases, the Municipal Attorney is the Board of Health Attorney as well.

The Board is not required to get bids because the level of spending for the Board of Health Attorney is minimal.

Ms. Carluccio has requested fee schedules of three possible firms that are in fairly close proximity to the Township. Gebhardt & Kiefer is the only firm that has responded thus far. Mr. Tatsch will assist Ms. Carluccio and the subcommittee in reviewing the submittals and making a recommendation for a Board of Health Attorney at the Reorganization meeting in January.

**BILLS OF THE EVENING**

A. Hopewell Valley Eng.	Soil Witnessing, B 3 / L 2; B 41 / L 12	<b>\$2,130.00</b>
B. Dorio	Refund – Unused witness fees; B 41, L 12	<b>\$500.00</b>
C. Jefferson	Refund – Unused witness fees; B 3, L 2	<b>\$520.00</b>
D. H.C. Health Dept.	Food Inspections (Revised)	<b>\$3,950.00</b>
E. Catennaci	Refund – Unused witness fees; B 17, L 16.08 & 16.10	<b>\$70.00</b>
F. D. Wang-Iverson	Well Witnessing	
	B 42, L 14	
	B 40.03, L 16.02 (well #2 & #3)	
	B 40.03, L 16.02 (well#1)	
	B 25, L 19	
	Final adjustment -	<b>\$530.00</b>

Deputy Clerk Fritsch was unsure of the amount of time needed to witness the discharge test for the Morrison well, B 25, L 19. The total for D. Wang-Iverson's bill may need adjustment.

**Mr. Martin moved to give Ms. Carluccio permission to approve the corrected amount of Mr. Wang-Iverson's bill when determined. This motion was seconded by Mr. Peyrek and it carried unanimously.**

**Mr. Hamilton moved the approval of the remaining bills of the evening, seconded by Mr. Tatsch. The motion carried unanimously.**

**OPEN TO THE PUBLIC**

None present.

**Mr. Tatsch moved to close the public session seconded by Mr. Hamilton and carried unanimously.**

**ADJOURNMENT**

**Mr. Martin motioned, seconded by Mr. Peyrek to adjourn the meeting at 8:24 p.m. The motion carried unanimously.**

Respectfully submitted,

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Carolyn Fritsch, Deputy Clerk