

The regular meeting of the Board of Health was called to order at 7:33 p.m. Present for this meeting were: Tracy Carluccio, Tony Berberabe, Les Hamilton, Tim Martin, Larry Tatsch and Jim Rosso. Members absent: Ted Peyrek III and David Wang-Iverson. Also present: Carolyn Fritsch, BOH Administrative Officer.

In compliance with the Open Public Meetings Act, this meeting was advertised as a regularly scheduled meeting in the January 28, 2010 issue of the Hunterdon County Democrat. Notice of the meeting was discussed with and sent to the applicant, filed with the Township Clerk, posted on the Township bulletin board and sent to the Hunterdon County Democrat and the Trenton Times on March 11, 2010.

### **ANNOUNCEMENTS/AGENDA REVIEW**

Ms. Fritsch consulted Hunterdon Humane, as requested, to ensure they had participated in the Hunterdon County Department of Health conference call regarding Animal Bite Quarantine Procedures. Hunterdon Humane stated they have been using the recommended procedures.

### **PRESENTATION OF THE MINUTES** - February 16, 2010

Mr. Hamilton complemented Ms. Fritsch on the minutes and had one minor revision.

**Mr. Martin motioned to approve the February 16, 2010 minutes, seconded by Mr. Hamilton. The motion carried by unanimous vote, with one abstention, Mr. Tatsch. One minor revision was noted.**

### **OPEN TO THE PUBLIC** (limited to 15 minutes for items not on the agenda)

No comments from the public.

**Mr. Hamilton 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

##### **1. MTBE - HESS GAS STATION / RINGOES DONUTS- Update**

Mr. Wyckoff presented the NJ Drinking Water Watch information with the fourth quarter 2009 water testing results, the first quarter of 2010 testing results and the fourth quarter bacteriological (coliform) testing. Mr. Wyckoff stated the sampling is done at the treatment plant itself and not from the tap in the restaurant; however the sampling for the coliform is done in the building after treatment.

Mr. Tatsch said the testing methodology is not represented in the report. The MTBE (Methyl Tert-Butyl Ether) contaminant results in the report are less than 0.1 micrograms per liter which is non-detectable. That was the only compound that had been showing up in past test results, so these results are good.

Ms. Carluccio thanked Mr. Wyckoff for providing the Board with the testing results.

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

Mr. Wyckoff stated he had spoken to Mr. Hahn the project manager from DEP. The monitoring in well #1 is still showing small amounts of contamination levels, and the

recovery in well #1 still has signs of Benzene. Progress is being made; however the remediation firm plans on proposing the addition of microbes and nutrients to the wells in order to help the natural degradation of the petroleum compounds. They are still drawing off the water and removing it.

Mr. Tatsch stated the Township had considered using the microbe/nutrient method, but their consultant suggested a better treatment course would be using a compound that releases oxygen. The cost for this treatment course is much less.

**3. 542 SPRING HILL ROAD - COMPLAINT # C082109**

Mr. Wyckoff stated the "Notice of Violation" was unclaimed and was returned. The inspector went back out to the property, and found the house seemed unoccupied. There appeared to be a disturbance in the soil near where the pipe is located. As the inspector was placing a notice on the door of the home there was a surge of water from the pipe (possibly from a sump pump), which appeared clear. The inspector also said he has seen vehicles near the home with out-of-state license plates, but no people.

Mr. Tatsch said he had gone by the house on Sunday and he got the feeling someone was home.

Mr. Wyckoff said one of the procedures is to leave the day-glow orange sticker on the door of the home asking the occupant to contact the Hunterdon County Health Department inspector. The course of action to handle this complaint is to be persistent in gaining access to the home, so a dye test may be completed. A second notice of violation will be sent and/or the owner will try to be reached for a conference. Mr. Wyckoff said the inspector will "stay on top of it."

B. Preview Committee

**Henry Catenacci, B 17, L 16.08, 100 Old York Road, Septic - New Construction.**

This is a proposed residential dwelling on an undersized lot.

Mr. Alexander Mikos from Goldenbaum Baill Associates, Inc., engineering firm, introduced himself for the record. He is present on behalf of Mr. Henry Catenacci, the property owner, who is seeking waivers for the location of a primary septic system and reserve area on his lot, located at 100 Old York Road.

The Preview Committee met and discussed the submitted application, dated 1/11/2010 with a revision date of 2/2/2010. Ms. Carluccio then brought some issues to Mr. Mikos' attention. Mr. Mikos made revisions to pages 1, 2, & 3 of the 8 page plan originally submitted. The new revision date is 3/16/2010. Mr. Mikos distributed the revised pages to the Board.

Two waivers are needed because of the small area of the lot.

The letter from D. Faltings, Senior Environmental Health Specialist of the Hunterdon County Department of Health, dated February 2, 2010, and states: The new construction septic design conforms to all aspects of NJAC 7:9A with the following exceptions:

1. The proposed primary disposal field is not the minimum 25 feet to the property line. Since this is a mounded system, the toe of the mound is 5.5 feet to the property line. A waiver is being requested from East Amwell Township Board of Health.

2. The proposed reserve disposal field is not the minimum 25 feet to the property line. The reserve area is 9.5 feet to the property line. A waiver is being requested from East Amwell Township Board of Health.

Soil testing was performed throughout the lot. The applicant wanted to construct the house farther back on the lot to take advantage of the view. No passing soil tests were found in the front or middle of the property. There is a 250 foot utility easement on the southeastern portion of the property. Passing basin flood tests were completed toward the back of the property. These are noted on the plan as BF # 1 & BF #2.

Basin flood #1 is in the reserve area and basin flood #2 is in the proposed field. The area is rocky. The basin floods were performed at 4-5 feet and the soil logs were done at an average depth of 6-7 feet because they couldn't get any deeper. This is why the systems have to be raised systems. The Preview Committee had asked if the house could be moved forward and to the right on the property. Mr. Mikos stated it cannot because there is a driveway access restriction. They are restricted to the 50 foot right-of-way by subdivision, which is in Mr. Catenacci's deed. Old York Road has a steep slope. If the house were moved forward on the lot, the driveway would be too steep and the required setback from the road needs to be maintained. The new location of the proposed well, requested by Mr. Catenacci on 3/1/10, is nearer to the road and proposed driveway. The well drilling rig couldn't get further back on the property because of soggy conditions and the change in location "just made sense" because of its proximity to the driveway.

There is a note on page 4 of 8 (note #4) in the plan that states there are no existing wells within 100 feet of the proposed disposal area.

The house could be moved a little bit to the right, but would still require a waiver, because of grading.

Mr. Mikos noted a typographical error on page 13 regarding the time of basin flood test #1. The time should be noted as 12:14 p.m. instead of 12:41 a.m. There is also a correction that needs to be made on the first page which indicates the application is for a commercial property; correct to residential property. The lot size is 1.66 acres and there is a right of way easement in the front of the property. This information has been added to sheet 2 of 8.

A full set of plans with all revisions will be provided once the design issue has been resolved and if the waivers are granted. The septic system permit will not be issued until the well is certified, according to East Amwell Township ordinance. Ms. Carluccio stated the Board does not usually give waivers for new construction; however this is a small grandfathered lot. Mr. Mikos stated they were lucky to get the two passing basin floods on the property. Additional testing was done on Mr. Catenacci's brother's property (which is to the side and rear of the property being discussed this evening) in case they were unable to get passing basin floods. The applicant has met all the State requirements. The East Amwell Ordinance requires the system be 25 feet off the property line with grading for both the primary and reserve area. This is where the waivers are needed.

**Mr. Martin motioned to grant the waivers as outlined, seconded by Mr. Tatsch. The motion carried unanimously.**

## **ITEMS OF DISCUSSION**

- A. Education and Health Issues

Ms. Fritsch stated she had sent the Board the public health advisory she had received earlier that day from LINCIS regarding a confirmed case of Meningococcal Disease in Hunterdon County.

**B. Administrative Officer's Report**

Ms. Fritsch informed the Board about the well testing sampling kits being sent out on March 15. The others were distributed to certain members of the Board before tonight's meeting. Samples will be returned between March 22 & March 25. The Chlorine readings are good for 28 days and the Sodium readings for 6 months. The samples do not need refrigeration.

Secondly, Ms. Fritsch stated she had been officially been appointed to the Board of Health Administrative Officer position starting March 8, 2010.

**CORRESPONDENCE**

**A. New Jersey**

Item 7A4 – Mr. Hamilton commented the Environmental Commission may be interested in the communication from the State DEP regarding proposed amendments to the FFY2010 Clean Water Priority System/Intended Use Plan. Ms. Fritsch will forward the information to Joyce Corboy of the Environmental Commission.

**B. East Amwell**

Item 7B12 - Mr. Tatsch initiated a discussion regarding an inspection of one of the peat systems where several problems were found by the company inspecting the system. The decision was made to send the homeowner, by certified mail, a copy of the inspection reports with a cover letter informing the homeowner the deficiencies need to be corrected and a new inspection must be performed to ensure the problems have been rectified. The Engineer and Mark Miller of the DEP will be carbon copied on this letter. It is a benefit to the homeowner to keep the system functioning correctly.

**C. Hunterdon County**

No comments

Several Board members agreed that having the correspondence items scanned and sent electronically is a welcome improvement. Mr. Hamilton stated he especially appreciates the identifying numbers in the upper corner which correspond to the item's place on the agenda.

**BILLS OF THE EVENING**

None

**OPEN TO THE PUBLIC**

There being no public;

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

**ADJOURNMENT**

**Mr. Tatsch motioned, seconded by Mr. Martin to adjourn the meeting at 8:27 p.m. The motion carried unanimously.**

Respectfully submitted,

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Carolyn Fritsch, Administrative Officer  
East Amwell Township Board of Health