

The regular meeting of the Board of Health was called to order at 7:34 p.m. Present for this meeting were the following Board members: Board of Health Chair Tracy Carluccio, Tony Berberabe, Les Hamilton, Ted Peyrek III, Jim Rosso, Charles Van Horn and Board Secretary Christine Rosikiewicz. Larry Tatsch and Vice Chair David Wang-Iverson were absent.

In compliance with the Open Public Meetings Act, this meeting was advertised as a regular meeting in the January 27, 2011 issue of the Hunterdon County Democrat. Notice of the meeting was sent to all 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 12, 2011.

### **ANNOUNCEMENTS/AGENDA REVIEW**

The following item was added under Items of Discussion:

1. Board of Health 2012 Budget

### **PRESENTATION OF THE MINUTES** –October 18, 2011 and November 15, 2011

The October 18, 2011 and November 15, 2011 meeting minutes were tabled due to lack of quorum present to approve them.

### **OPEN TO THE PUBLIC**

**Ms. Carluccio opened the meeting to the public.**

**There being no public present Mr. Peyrek made a motion to close to the public; Mr. Berberabe seconded it. All were in favor; the meeting was closed to the public.**

### **UNFINISHED AND NEW BUSINESS**

#### **A. Hunterdon County Department of Health - Inspector's Report**

1. Owens-AKA Woody's-Block 16, Lot 11

Mr. Wyckoff was not present tonight but provided a written report on this property for the Board. Mr. Wyckoff contacted DEP; the project is moving along, there are no increases, they are in compliance.

#### **B. Preview Committee**

1. Stonybrook Meadows – Request regarding Portable Chemical Toilets Ordinance  
03-01 BH

Anne del Campo (Stonybrook Meadows, 82 Stonybrook Rd, B40 L40.5) approached the dais and thanked the Board for putting this item on the agenda for tonight.

Ms. del Campo provided the Board with the following: Request for Year Round Portable Sanitation Unit, information about the unit, the expired Stonybrook Farm portable toilet

license, N.J.A.C 12:102-1.5 Toilet Facilities, information from the American Restroom Association and standard #1910.141 ( c )(1) (I) re: Interpretation of 29 CFR 1910.141 ( c ) (1) (i): Toilet Facilities.

Ms. Carluccio explained that the preview committee met and discussed this item. Ms. del Campo is requesting permission to utilize a portable toilet year round at Stonybrook Meadows. East Amwell Township Ordinance 03-01 section 4 includes a length of use limitation on portable toilets. The ordinance states the toilet cannot be used for longer than nine months. A single renewal of a permit may be obtained where continued temporary use is shown to the satisfaction of the Board.

Ms. Carluccio provided background information about the Township Ordinance; it was created to make sure the bathrooms are used according to the standards of the industry and not utilized year round. The Ordinance was created in conjunction with the Township attorney and the Hunterdon County attorney. The International Association of Portable Toilets was also consulted via conference call with the attorneys.

The Ordinance was created to protect ground water and prevent pollution while allowing farm stands and farms to have seasonal portable bathrooms. Other larger uses in the Township include the wineries and the 4H Fair.

Ms. Carluccio explained that Ms. del Campo is requesting a deviation from the ordinance.

Ms. del Campo detailed that she operates a year round community farm. They have a Horsemanship program for children; children come for approximately two hours once a week. She explained that it is impractical for children who need to use the restroom have to unsaddle the horse, put it in the stall and then the participants must all walk to the house. A portable bathroom is located near the barn at this time. In addition to the children there are year round workers that utilize the portable bathroom. She noted that the bathroom is "hardly used" but there when necessary. She expressed that the portable bathroom is strictly for the convenience of the children and farm workers. Ms. del Campo would "be happy" to have the portable bathrooms inspected and provide documentation on the cleaning schedule.

Mr. Berberabe expressed that if the business was a seasonal business the use of a portable bathroom would be understandable. A year round business is subject to the ordinances involving such including an up to date septic system. Mr. Berberabe commented favorably on Ms. del Campo's offer to have the portable bathroom inspected throughout the year.

Mr. Van Horn inquired how the Board would handle another year round business that wanted to utilize a portable bathroom all year. Ms. Carluccio replied that it would not be allowed; a supplemental septic in the barn would provide a permanent way to address the need.

Mr. Hamilton noted that a portable bathroom would “almost become a holding tank”. Holding tanks are illegal in New Jersey; he is concerned about how the State would interpret it.

Ms. Carluccio specified that the Township holding tank ordinance is based on 7.9A New Jersey State Code. The State law affirms that a holding tank cannot be used as the way waste is handled, a functioning septic system or sewage treatment plant must be utilized. To utilize a portable bathroom all year is “a holding tank”.

Mr. Peyrek noted that a septic system is needed for the permanent workers.

Ms. del Campo explained that the workers work as needed to help on the farm and are not permanent. She expressed concern with getting a second septic system approved on her property.

Mr. Peyrek noted that Rutgers Nursery was required to install a septic system.

Ms. Carluccio advised that if there is extra treatment capacity in the septic system for the home then a bathroom could be added to the barn and hooked into it. An engineering analysis could determine if there is room in the system. She noted that Sweet Valley Farms was required to install a septic system.

Ms. del Campo commented on the low usage of the portable bathroom and that it was only used ten times in the past three months. She commented that “it seems like an overkill” to have to put in [a septic system] and inquired about the huge disruption of the ground.

Ms. Carluccio commented that the septic system would be safer, more sanitary and a permanent remedy. There are benefits from an operator’s standpoint as the septic system would be an investment in the property as opposed to an expense. From the Township’s viewpoint it’s a permanent way to address the waste issue.

Mr. Hamilton commented that while he is sympathetic, state regulations need to be followed.

Ms. del Campo commented on the “huge expense” of installing a septic system for her farm which she is “trying to get up and running”.

Ms. Carluccio indicated that it is a personal decision on Ms. del Campo’s part.

Mr. Van Horn suggested a part time employee be hired to take the children to use the restroom as a less expensive alternative to installing a septic system.

Ms. Carluccio advised Ms. del Campo to have an engineer look at the as built plans for the septic system.

Ms. del Campo asked if she could have a temporary exemption for the nine month limit on the portable bathroom permit which expired on November 29, 2011. Ms. Carluccio said the permit could be extended for nine months past the expiration date.

Ms. del Campo inquired about composting toilets. Ms. Carluccio said they can be used to supplement, but not for this purpose, according to state law. Peat moss systems have been allowed in the Township for septic repairs only. The maintenance on the peat moss systems was briefly discussed. It was noted that traditional septic systems are virtually maintenance free.

### ITEMS OF DISCUSSION

1. Education and Health Issues

There were no comments on any education and health issues.

2. Board Secretary's Report

There was no report.

3. Board of Health 2012 Budget

The Board discussed the proposed budget for 2012.

Regarding salary it was noted that there was more Board of Health activity this year than last year. Ms. Carluccio suggested increasing the budget for secretary to \$7500 so it is not "quite as tight" as it was this year; Mr. Van Horn agreed with this amount. (Note: The salary line was recalculated and corrected to \$9000 in the final draft of the proposed budget submitted.)

Line items were reduced in the 2011 budget therefore there is not much to reduce this year.

The Board discussed the budget line by line and is proposing the following:

Salaries and Wages

Secretary	9000
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Well Inspectors	1000
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Other Expenses

Other Expense	1000
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Legal-General	100
Education/Training	400
HC Contractual	11000
Hydro Geologist	600
Perc/Soil Logs	10000
Stream / Salt Monitoring	400

**CORRESPONDENCE**

There were no comments on any correspondence.

**BILLS OF THE EVENING**

**Mr. Hamilton made a motion to approve the bills of the evening; Mr. Peyrek seconded the motion. All were in favor; the motion was approved.**

**OPEN TO THE PUBLIC**

**Being no comments from the public Mr. Hamilton moved to close the public session, seconded by Mr. Peyrek, and it carried unanimously.**

**ADJOURNMENT**

**Mr. Van Horn made a motion, seconded by Mr. Rosso, to adjourn the meeting at 8:25p.m. The motion carried unanimously.**

Respectfully submitted,

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Christine A. Rosikiewicz  
Board of Health Secretary