

The reorganization 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, Ted Peyrek III, Larry Tatsch, Charles Van Horn, David Wang-Iverson and Bodgan Slecicka. Pauline Serafin was absent. Also present: Board Secretary Christine Rosikiewicz. Mr. Dan Wyckoff from the Hunterdon County Health Department was also in attendance.

In compliance with the Open Public Meetings Act, this meeting was advertised as a reorganization meeting in the December 20, 2012 issue of the Hunterdon County Democrat. Notice of the meeting was forwarded to the Township Clerk's office, posted on the Township bulletin board and sent to the Hunterdon County Democrat, the Trenton Times, and the Star Ledger on January 9, 2013.

2013 REORGANIZATION

A. Election of Officers/Board Secretary /Subcommittee Appointments

Chairperson:

Mr. Wang-Iverson nominated Tracy Carluccio as Board of Health Chairperson, seconded by Mr. Mr. Peyrek . Motion carried unanimously.

Vice Chair:

Mr. Hamilton nominated Mr. Tatsch as Board of Health Vice-Chairman, seconded by Mr. Wang-Iverson. Motion carried unanimously.

Board of Health Secretary (member of the Board):

Mr. Van Horn nominated Ted Peyrek as Board of Health Secretary, seconded by Mr. Hamilton. Motion carried unanimously.

Well Test Witness:

T. Carluccio commented favorably on the work David Wang-Iverson has done previously as the well test witness. This year he was advised by the attorney that he cannot be appointed well test witness as he is serving on Township Committee.

Mr. Hamilton nominated Mr. Tatsch as well witness; Mr. Peyrek seconded the nomination. All were in favor; the motion carried.

Local Registrar of Vital Statistics:

Mr. Hamilton nominated Terri Stahl, seconded by L. Tatsch. Motion carried unanimously.

Subcommittee Appointments

Education and Health Issues: L. Hamilton

Groundwater Monitoring: L. Tatsch

Ordinance Review: T. Carluccio, D. Wang-Iverson, L. Tatsch

Mezaros Property Liaison: L. Tatsch

Preview Committee:

Mr. Hamilton nominated D. Wang-Iverson, T. Berberabe, T. Carluccio and T. Peyrek for Preview Committee. All were in favor; the motion passed.

B. 2013 Meeting Dates

Mr. Wang-Iverson made a motion for the Board of Health to hold regular meetings on the third Tuesday of the month at 7:30p.m.; Mr.Hamilton seconded it. All were in favor; the motion passed.

C. Professional Services Contracts

Legal Counsel:

Mr. Tatsch motioned to appoint Mr. Richard Cushing as legal counsel for the Board of Health seconded by Mr. Wang-Iverson. Motion carried unanimously.

TOWNSHIP OF EAST AMWELL
HUNTERDON COUNTY, NEW JERSEY

RESOLUTION 01-13

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 2013; 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., are hereby appointed to serve as Board of Health Attorneys for the Township of East Amwell during the year 2013 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. This 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

Engineer:

Mr. Hamilton moved to appoint Ferriero Engineering for the Board of Health engineer as per the terms of the contract, seconded by Mr. Peyrek. The motion carried unanimously.

Hydrogeologist:

The Board received a contract proposal from Mr. Vince Uhl; they are awaiting one from Mr. Peter Demicco. A vote on this appointment was tabled until February.

**TOWNSHIP OF EAST AMWELL
HUNTERDON COUNTY, NEW JERSEY**

RESOLUTION 01-13

ANNOUNCEMENTS/AGENDA REVIEW

Ms. Carluccio welcomed Bogden Slecza, who was appointed to the Board of Health.

Mrs. Rosikiewicz announced the following additions to the agenda:

Under Correspondence – East Amwell

Letter from Frederick J. Shoyer, III, Synergy Environmental 12/14/12 re: Community Notification Documents Per N.J.A.C. 7:26 C Section 1.7 – Ringoes Shell

Hunterdon County Division of Public Health LINC'S 1/10/13 Update: Options for Influenza Vaccine Availability

Under Correspondence – New Jersey

E-mail 1/11/13 from Joseph Rodgers, NJ DEP re: Northeast Diesel Collaborative Participation Request

PRESENTATION OF THE MINUTES – November 19, 2012 and December 17, 2012

November 19, 2012 Meeting Minutes: Mr. Tatsch commented favorably on the Secretary's composition of these meeting minutes. He requested more time to carefully review comments made at the meeting and compare them with the tape. He suggested a sub-committee be formed to review this document. It was noted that the minutes are the official record and not the recording. Mr. Wang-Iverson and Mr. Hamilton will assist Mr. Tatsch with this review.

Mr. Hamilton made a motion to table approval of the November 19, 2012 meeting minutes; Mr. Wang-Iverson seconded the motion. All were in favor; the motion carried.

December 17, 2012 Meeting Minutes:

Mr. Hamilton made a motion to approve the December 17, 2012 meeting minutes; David Wang-Iverson seconded it. Mr. Hamilton asked if his request that the Board Secretary permanently save a copy of the November 19, 2012 meeting recording be included in the December 17, 2012 meeting minutes. All were in favor; the motion passed with Mr. Van Horn, Mr. Peyrek, Mr. Slecza, and Mr. Tatsch abstaining.

OPEN TO THE PUBLIC

Being no comments from the public Mr. Wang-Iverson motioned to close the public comment portion of the meeting, seconded by Mr. Berberabe, and carried unanimously.

UNFINISHED AND NEW BUSINESS

A. Hunterdon County Division of Health and Safety – Inspector's Report

1. Owens - AKA Woody's – B 16, L 11 – 202 Old York Road

Mr. Wyckoff reported that there have been no updates on the remediation. He will pursue the possibility of receiving reports in CD form.

B. Preview Committee

1. Block 13, Lot 9, Septic Alteration, 76 John Ringo Road

Mr. Bob Zederbaum from RBZ Enterprises, Inc. came to the dais and introduced himself. The homeowner of Block 13 Lot 9 is applying for a septic system alteration as they are preparing their home to sell it. The current system was installed in the 1940's and is located in the same place as the new system will be installed; it was noted that the current system is not failing but is being replaced due to the age of the system and the home being put on the market.

Mr. Zederbaum explained that the property is extremely small like most of the other properties on John Ringo Rd.; it is about a half an acre. The County has reviewed the application; all the waivers required for approval are due to the size of the property.

Mr. Zederbaum detailed that there was good permeability in the rear of the property. One test was close to a K2 and another was a K3. A test in the front of the property was abandoned as there was no permeability.

Three of the waivers are for the distance between the new system and the on-site well and the neighbors on both the east and west side of the property. Mr. Zederbaum provided copies of letters and proof of receipt that he notified these two neighbors as per the County's recommendations. The Board Secretary also sent notification to the neighbors including copies of the meeting agenda and the letter from the County.

Mr. Zederbaum read from Sheet 1 of the application where the waivers were listed. It was noted the distance from the existing well to the septic tank requires 100ft; the proposed system has a distance of 24ft. The distance from the well on Lot 8 (property to the east) should be 100ft; the proposed system has a distance of 84ft. The distance from the well on Lot 10 (property to the west) should be 100ft; the proposed system is 71ft which is further than the previous system. There should be 100ft from the well on Lot 9 to the proposed system; the actual distance will be 95ft.

The slope increases at the rear of the property to 3 to 1 to keep the system on the property (5 to 1 is recommended). The toe of the system should be 25ft; the proposed system has 2.5 ft. The disposal bed should be 25ft; it will be 18ft. The engineer noted that it is a good system that meets all the other requirements, the tests were good, and they have done the best they can within the space.

Ms. Carluccio said the Preview Committee had previously met to go over this application. Mr. Wang-Iverson inquired if the first tank could be moved closer to the field to increase the distance from the well if possible. Mr. Zederbaum explained why the location was chosen and said he could slide it slightly and will advise the contractor to install the tank as far over as possible. It was noted by Mr. Wang-Iverson that it still won't make the requirement but it will be helpful if it could be moved as far as possible. Mr. Zederbaum will note that the tank is to be installed as far from the well as possible on the plan and include the actual distance on the as built; he believes it will be three feet more at most. Ms. Carluccio noted that the Board has the ability under the State regulations to grant a waiver for this distance.

Ms. Carluccio indicated that the wells are old and information about the casings is unknown. In the past the Board has required an annual water test. The Board does not want to order UV Treatment unless needed. It was noted that in this case three wells are not meeting the State minimum distance requirement. Ms. Carluccio said it would be beneficial if one test was done now and an annual test for coliform should be recommended. It was noted that testing in a private home cannot be enforced.

Mr. Zederbaum said he could include the recommendation of an annual test. He said a base test could be done now and explained if the test at this time is passing it wouldn't fail in the future as the new system will be much improved over the old one. Contamination found now could also be fixed by the new system. If the test fails a UV light would need to be installed. Ms. Carluccio advised the homeowner consider notifying the neighbors. Mr. Tatsch noted that the EPA requires a

water tightness test of the tank. The well test results should be forward to the Board of Health. Mr. Wang-Iverson inquired about the well on the property behind this one; Mr. Zederbaum said it is out of range.

Ms. Carluccio said the current system is being improved upon which allows the Board to consider the requested waivers. The Board needs to consider the variances laid out in the County letter including reduction of the property line distance, reduction of the separation distances between the field and the tank and the three wells, the slope which is 3:1 instead of 5:1, and a reduction in distance between the bed and property line.

Mr. Wang-Iverson moved that the system be approved with the waivers outlined in the County letter; Mr. Tatsch seconded the motion.

Mr. Slecza suggested the wells be tested to provide a baseline and noted the possibility the well could be disturbed during installation. Mr. Zederbaum inquired if the well could be tested right after construction; Ms. Carluccio agreed it could and asked Mr. Zederbaum to make a note about the testing.

Mr. Zederbaum went over what needs to be done. The tank will be installed as far away from the well as possible. A baseline well test for bacteria will be completed after construction of the system; if the well fails a UV system will be installed on the well. The well should be tested for bacteria annually.

The Board is recommending the neighbors be advised to have their wells tested for bacteria. Mr. Zederbaum will send a letter to the neighbors on Lot 8 and Lot 10.

All were in favor; the motion passed.

- C. Request from ATMA Family Medicine to cease submission of quarterly well monitoring reports.

Dr. Manmohan Bryant, ATMA Family Medicine, 6 Losey Rd. came to the dais. He explained that ten years ago he remodeled his three car garage into a family practice medical office. The septic system included a French drain. There was an agreement that he would submit quarterly water usage reports to the Board. Water usage has been well under the limit of 570gpd; which is the equivalent of 17,000 gallons per month. (He noted that one month the reading was 19,000 gallons per month as relatives were visiting.) He would like to cease submitting quarterly reports. Ms. Carluccio inquired about the location of the meter; Dr. Bryant explained that it is located at the back of the house. He explained that ATMA Family Medicine is a small practice where he sees chronically ill complex patients. Five or six patients visit his office each day. The meter reading is for both his practice and his home, where he and his wife reside. The amount of water usage per month is 17,000 gallons.

Ms. Carluccio explained that the Board had discussed this item last month and the possibility of Dr. Bryant reporting electronically. The Board agreed that there have not been any problems and Dr. Bryant has been faithfully reporting. Ms. Carluccio addressed a concern that if this requirement was taken away and the property was sold the water usage could increase. The

Board would then have to reestablish the requirement which would be difficult. Mr. Wang-Iverson suggested the meter be read quarterly rather than monthly. Dr. Bryan said not doing it would be optimal, but if not, possibly reporting only two or three times a year. It was noted that if the property was reverted back to only a residence then reporting would not be necessary. Ms. Carluccio explained that water monitoring is required on any business that does not have a dedicated septic system as an alternative to requiring an expanded septic system. She noted that the use follows the property and not the person. Mr. Tatsch said if we allowed a quarterly number to be reported it could be sent electronically. Dr. Bryant said this would be easier. Ms. Carluccio suggested a condition be added stating that if the water usage amount is exceeded monthly readings would again be required. Mr. Tatsch expressed that the monthly readings are done so the owner understands that there is a limit. Ms. Carluccio noted that the owner would not want to exceed the design limit of the septic system and possibly harm the system.

The Board further discussed this requirement and possible time frames for readings. The Board agreed that reports twice a year would suffice. Ms. Carluccio read the proposed resolution into the record.

**TOWNSHIP OF EAST AMWELL
HUNTERDON COUNTY, NEW JERSEY**

RESOLUTION 02-13

**RESOLUTION AMMENDING THE CONDITIONS OF APPROVAL FOR BLOCK 26
LOT 1.04**

WHEREAS, there exists a condition of monitoring water usage for Block 26, Lot 1.04; and

WHEREAS, monthly readings are taken and required to be sent to the Board of Health on a quarterly basis; and

WHEREAS, since September 16, 2003 the Board of Health has reviewed these reports and determined that use has been well below the permitted use of up to 570 gallons per day;

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

If water usage levels stay at their current level Dr. Manmohan Bryant may cease submitting monthly readings each quarter in writing and may submit quarterly readings semiannually electronically, with one signed annual summary submitted in writing. If these reports show an increase in water usage the Board will review this condition with the possibility of reinstating the quarterly written report requirement.

By order of the East Amwell Township
Board of Health

Tracy Carluccio, Chairperson

Mr. Tatsch made a motion to move Resolution 02-13; Mr. Wang-Iverson seconded it. All were in favor; the motion carried.

D. Proposal for water monitoring report for The Ridge at Back Brook Golf Course

All Board members received copies of the proposal from Steve Souza of Princeton Hydro in their packets which includes the rate schedule and terms and conditions for Mr. Souza to review and interpret the water monitoring report provided by The Ridge at Back Brook. It was outlined that interpreting the report would take eight hours to complete at an hourly rate of \$170 an hour for a total cost of \$1360 for the report. One thousand dollars has been budgeted for this item. The Board discussed the possibility of another Princeton Hydro employee completing the interpretation of the report for a lesser hourly fee.

Mr. Tatsch moved for the Board to approve the Princeton Hydro contract and request they keep the fee as close to \$1000 as can be done consistent with the complexity of the report. Mr. Wang-Iverson seconded the motion. All were in favor; the motion carried.

ITEMS OF DISCUSSION

A. Education and Health Issues

There were no comments on any items.

B. Board Secretary's Report

Ms. Rosikiewicz reported that all Board members have received a copy of the updated 7:9A. Annual food license renewal applications and fees have been coming in.

CORRESPONDENCE

A. Hunterdon County

1. Flu Situation:

The Board briefly discussed the flu situation in the County. Ms. Rosikiewicz received information from the County on flu shot availability which was put on the Township website. Board members spoke anecdotally about the high number of people who have been sick with the flu.

B. New Jersey

1. E-mail 1/11/13 from Joseph Rodgers, NJ DEP re: Northeast Diesel Collaborative Participation Request

Mr. Hamilton inquired about this item as trucks go through the middle of East Amwell; it was noted that trucks are exempt from standards due to interstate commerce.

BILLS OF THE EVENING

- A. Demicco and Associates, LLC Board of Health Data Review/Meeting \$660.00

Mr. Peyrek moved the approval of the bills of the evening, seconded by Mr. Wang-Iverson. The motion carried unanimously.

OPEN TO THE PUBLIC

Being no public present Mr. Tatsch made a motion to close the meeting to the public; seconded by Mr. David Wang-Iverson. All were in favor; the motion carried.

ADJOURNMENT

Mr. Wang-Iverson motioned, seconded by Ms. Peyrek, to adjourn the meeting at 8:42 p.m. The motion carried unanimously.

Respectfully submitted,

Christine A. Rosikiewicz