

The regular meeting of the Board of Health was called to order at 7:31 p.m. Present for this meeting were Tracy Carluccio (Board Chair), Les Hamilton, Ted Peyrek, Bogden Slecicka, Charles Van Horn and Larry Tatsch (Vice Chair). Tony Berberabe and Pauline Serafin were absent. Christine Rosikiewicz, Board Secretary, was present.

In compliance with the Open Public Meetings Act this meeting was advertised as a regular meeting in the January 24, 2013 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 October 10, 2013.

**ANNOUNCEMENTS/AGENDA REVIEW:**

Under New Business:

10/11/13 Memo from Tim Matheny, Township Administrator Re: 2013 Budget Appropriations Transfers

**PRESENTATION OF MINUTES –SEPTEMBER 17, 2013:**

**Mr. Tatsch made a motion to approve the minutes. Mr. Peyrek seconded the motion. All were in favor; the motion passed with Mr. Wang-Iverson and Mr. Van Horn abstaining.**

**OPEN TO THE PUBLIC**

**Being comments from the public Mr. Wang-Iverson made a motion to close to the public; Mr. Van Horn seconded it. All were in favor; the motion passed.**

**UNFINISHED AND NEW BUSINESS**

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

1. Owens (aka Woody's) B 16, L 11 – update

Mr. Wyckoff reported that there are no new developments with this project; the status remains the same.

B. Preview Committee

1. Septic Alteration Application B 41 L 29

Mr. Steve Parker from Parker Engineering and Ms. Pat Huizing, the property owner, approached the dais. Mr. Parker explained that they are here for a septic alteration application. He appeared last month to the Board and proposed a peat moss system. Ms. Huizing is the current property owner; she is selling the property. The current septic system did not pass inspection. The property is very small at less than half an acre; there are issues with setbacks to the well and property lines.

Mr. Parker explained that what is being proposed is a new septic tank, peat moss unit, and pressure dosed disposal field. The size of the field will be reduced by using the pressure dosed peat moss system which will allow the system to come closer to compliance with the setback requirements

although they all can't be met. The peat moss system also provides advanced treatment which is why the State allows the disposal field size to be smaller.

Ms. Carluccio reported that the Preview Committee met and went over this application. She reminded the Board that this was discussed at the last meeting including the size of the lot, lack of room for a conventional system and high water table. It was agreed at the last meeting that a peat system is warranted in this case and the Board gave the engineer the okay to design the system using the peat Ecoflow system. The County has reviewed this application and provided a letter dated October 8, 2013.

Mr. Parker reviewed the waivers and recommendations in the letter with the Board. The first one said the peat system needs to be approved by the Board. The second one indicates there should be a deed restriction placed on the property indicating annual maintenance of the property and type of technologies being used. Ms. Carluccio noted that these are requirements required by 7:9A.

Mr. Parker further went over the letter noting that a service contract will be provided and signed by the homeowner. The fifth item refers to a note on the plans; the sixth item requires the certificate of compliance certificate when construction is completed.

The seventh item requires notification to the DEP prior to installation; this will be done by the engineer. The eighth item requires the authorized installer be on site during installation. Mr. Wang-Iverson inquired who the installer would be; Mr. Parker replied that it hasn't been determined.

The ninth item requires a copy of the service installer certification be provided; Mr. Parker will provide this. The tenth item requires remote monitoring and the eleventh requires a water tightness test.

Mr. Parker read #12 *"The highest regional water table is at 18 inches which is higher than the 24 inches from existing grade allowed by state code"*; a waiver is being requested for this. Number 13 states the toe of the mound will be only 4 feet from the property line; East Amwell Township requires 25 feet. The system will be ten feet from the property line. Mr. Parker explained that the size and triangular shape of the property limits the area available to meet the setback requirements. The system will be located in a spot furthest away from the well where it will still meet state property line setbacks for the system. The mound will not be high as the peat moss system allows a reduction in the thickness of the zone of treatment. The height of the mound will be approximately two feet. Mr. Parker is requesting a waiver for this East Amwell Township setback requirement.

Number 14 should read "The proposed system will be only 82 feet from the existing well" instead of 52 feet from the existing well as in the letter. Mr. Parker explained that the existing well has only 22 feet of casing. This system will not meet the 200 foot setback requirement. Since the well casing is only 22 feet the setback requirement cannot be reduced to fifty feet as allowed when there is fifty feet of casing in the well.

Ms. Carluccio inquired if a recent water test had been done. Mr. Parker replied no, but there will be one done as part of the sale of the home.

Mr. Parker referred to #15; a waiver will be needed for the setback distance from the tanks to the well. Number 16 states that the minimum size of the disposal field should be 400 square feet; the proposed disposal field is 334.6 feet. Mr. Parker said including the select fill enclosure in the field there is a little over 500 square feet of total bottom area. Although the system is sized for 350gpd, equal to a two bedroom house, the house is only a one bedroom house therefore considered under the design requirements. Mr. Parker believes what is being proposed is adequate.

Ms. Carluccio said she spoke to Mr. Vacarella at the County and he felt although the 400 square feet is what is required because this is an existing home, and there isn't any alternative to fix the existing property, the Board can consider this waiver as long as the home is not being expanded.

Mr. Parker referred to #17 in the letter; there is no passing permeability on the property which is why the peat system is being proposed. The soil is heavy clay on top of shallow bedrock. The peat system will provide a higher level of treatment and allows for a smaller footprint because of this.

Ms. Carluccio inquired about the laboratory analysis of the soil. Mr. Parker replied that it came back as a K0.

Mr. Wang-Iverson referred to #16 in the letter and inquired if it is possible to fit a 400 square foot field. He believed making the field three feet wider would make it 400 square feet. Mr. Parker said the field could be made bigger but it would be closer to the well. Ms. Carluccio inquired if it could be expanded without being closer to the well. Mr. Parker said it could be expanded but then the field would be less than ten feet from the Snyderstown Rd. right of way line. The only way to expand the field is in the direction towards the well. Ms. Carluccio said Mr. Vaccarella felt the well setback requirement could be waived as it is an existing property that is not being expanded. Comments were exchanged about the septic field; Ms. Carluccio said the concern was the lack of permeability. She mentioned the system being sized for two bedrooms while the home has only one bedroom, providing a margin of safety. Mr. Parker referred to the state requirement of a minimum flow of 350gpd.

Mr. Tatsch inquired if the soil had high clay content. Mr. Parker replied that it has very high clay content and called it a clay loam. It averaged 9% sand and 29% clay with very a very low sand content.

Mr. Wang-Iverson inquired if Mr. Parker is stating that there are no wells within 200 feet. Mr. Parker said there aren't any. Ms. Carluccio asked Mr. Parker to indicate that on the drawing.

Ms. Carluccio explained that to make the field larger they could consider going closer to the south property line rather than going closer to the right of way.

Ms. Carluccio described that in the past a water test was done after the system installation to determine if there is bacteria and a need to continue with the ultraviolet system. Ms. Carluccio further explained that annual well water testing is sometimes recommended. When an ultraviolet system is in place sometimes they are not maintained; it may be more proactive to test to determine if there is bacteria. A recommendation for annual water testing could be added to the notes on the deed regarding the system.

Ms. Huizing said the well does not have an ultraviolet system.

Mr. Tatsch inquired about the well. Mr. Parker replied that there is no history of contamination; a test will be done. Mr. Tatsch recommended a coliform bacteria test be done right away to determine a baseline; if contamination is present it would be highly recommended to install an ultraviolet system as the contamination will last into the future. With the new system the contamination would eventually go away. Ms. Carluccio suggested testing be a condition; Mr. Tatsch agreed that it would be prudent. Mr. Tatsch commented on the excellent job the ultraviolet system at the municipal building does.

Ms. Carluccio summarized that there are the usual recommendations in the County letter. She noted typographic corrections needed [“HOOT system” and “aerobic system” should be changed to “peat system”]. Ms. Carluccio remarked that the Board could consider approving this system with the following:

The first eleven requirements from the letter.

A waiver will be needed for the high regional water table being less than 24 inches.

A waiver will be needed for the toe of the mound which is 2 ½ feet from the property line. The system will be 8 ½ feet from the property line. A new design will be submitted with the new dimensions.

A waiver will be needed for the system to be 82 feet from the well which is less than the 200 feet requirement. A baseline water test should be done now and an annual test is recommended.

Mr. Tatsch asked if a test is performed right away and shows negative coliform and low plate count would an ultraviolet filter be recommended. Ms. Carluccio said if either test was positive an ultraviolet filter should be required. Either way annual water testing should be required. Mr. Tatsch explained that there are three components to the bacterial test: total coliform, fecal coliform, and total plate count. Both total coliform and fecal coliform results need to be less than one part present to be passing. The total plate count is other soil bacteria; the recommendation is 500 or less. Mr. Tatsch said if a total plate count is higher than 500 he would recommend the ultraviolet system. A count higher than 500 would indicate that soil bacteria is getting into the well.

The following should be added to the well distance waiver: An ultraviolet system should be installed on the well if the test shows any detectable fecal and/or total coliform bacteria and a plate count above 500.

A waiver will be needed for the distance of the septic and Ecopod tanks as they are less than the 100 foot East Amwell Board of Health setback requirement.

A waiver is needed for the use of an analysis of soil in the laboratory as the East Amwell Board of Health ordinance requires permeability testing on the property in situ.

Ms. Carluccio said a note should be added to the plan which states that there are no wells located within 200 feet in any direction of the septic system.

**Mr. Wang-Iverson moved to approve the system with the indicated waivers and conditions. Mr. Tatsch seconded the motion. All were in favor; the motion carried.**

C. New Business

1. Introduction of Ordinance

The Board Secretary read the Ordinance by title into the record as follows:

ORDINANCE 13-01 BH: AN ORDINANCE TO AMEND THE CODE OF EAST AMWELL TOWNSHIP BY DELETING EXISTING CHAPTER 152, FOOD ESTABLISHMENTS AND CREATING A NEW CHAPTER 152, RETAIL FOOD ESTABLISHMENTS TO INCLUDE MOBILE FOOD ESTABLISHMENTS AND TO REDEFINE CATEGORIES AND FEES.

Ms. Rosikiewicz said that the Board will vote on adoption of the ordinance tonight, there will be a public hearing at the regular Board of Health meeting on November 19, 2013 at 7:30pm, and the Ordinance will be published in the October 24, 2013 issue of the Hunterdon County Democrat.

**Mr. Wang-Iverson made a motion to introduce Ordinance 13-01 BH; Mr. Hamilton seconded the motion.**

Ms. Carluccio explained that changes were made to this ordinance based on input received. The changes were reviewed by the Board's attorney. Copies are available to the public and the Board tonight. Mr. Tatsch added that there was extensive review of the original ordinance and overall it is a better ordinance and now allows mobile food establishments [in two locations]. Ms. Carluccio suggested a Board member provide a review of the ordinance next month at the hearing.

**Votes were recorded via roll call as follows:**

<b>Mr. Berberabe</b>	<b>absent</b>
<b>Mr. Hamilton</b>	<b>yes</b>
<b>Mr. Peyrek</b>	<b>yes</b>
<b>Mr. Slecza</b>	<b>yes</b>
<b>Mr. Tatsch</b>	<b>yes</b>
<b>Mr. Wang-Iverson</b>	<b>yes</b>
<b>Ms. Carluccio</b>	<b>yes</b>
<b>Mr. Van Horn</b>	<b>yes</b>

**All were in favor; the motion carried.**

2. 2014 Budget

Ms. Carluccio noted that this is the time where funds can be moved and the Board should take stock on where funds are being spent. She asked the Board Secretary to walk the Board through the budget.

Ms. Rosikiewicz reported that there is \$100 in the budget for legal; this will be spent on review of the ordinance. There is \$600 budgeted for the hydrogeologist; none of this has been spent. For Hunterdon County Contractual there is \$10,000 budgeted; \$1600 has been expended for the first two quarterly bills. Two bills are outstanding which will be large as they will cover the 4H fair and Craft Fair food inspections. There is \$8000 expended for perc/soil logs; \$5100 has been expended to pay the engineer. She will inquire with the CFO where refunds from soil log witnessing overpayments will be billed to. Stream/Salt Monitoring was \$385 for this year; \$400 was budgeted. There was \$1000 budgeted for Back Brook Water Reports; \$380 has been spent. Four hundred dollars was budgeted for Personal Expenses/Training; none of this has been expended. One thousand was budgeted for Miscellaneous – Other; eight hundred and twenty-five dollars has been spent.

Ms. Carluccio mentioned the refunds for soil log fee overpayments. Ms. Rosikiewicz spoke to the CFO regarding these. The one for 2011 will have to be budgeted for in 2014. There is \$1089 available for 2012 refunds; refunds due back are \$2340. Funds will need to be budgeted in 2014 for soil log refunds. Ms. Rosikiewicz will ask the CFO if the refunds will come out of the Board of Health budget.

Mr. Tatsch expressed that the line items appear to be in “pretty good shape overall”. Ms. Rosikiewicz said the County 3<sup>rd</sup> quarter bill will be coming any day now; she can call and find out the amount. Mr. Wang-Iverson noted that there is \$8400 in the line for Hunterdon County Contractual.

Ms. Carluccio said there will be a bill from the hydrogeologist for New Market Farm, from the attorney for review of the ordinance and for the legal advertisement for the ordinance. Mr. Tatsch suggested \$100 be moved from miscellaneous to legal to cover the cost of the review of the ordinance. There will be upcoming expenses therefore the Board does not want to give away any funds.

D. Unfinished Business

1. B 42 L 14 Request to change condition from abandoning well to agricultural use

Ms. Lisa Grzankowski, 326 Route 31, approached the dais. Ms. Carluccio reminded the Board the Ms. Grzankowski came before the Board before; she had applied to zoning to change the use of a house on her property from a residence to an agricultural building. The agricultural building will be a dry building and the septic system will be abandoned. Ms. Grzankowski has come to the Board tonight to change the condition of abandoning the existing well for the residence to use of the well as an agricultural well. This condition was given with the prior approval to build the new house on the property. The Board will also determine if any testing on the well will be required for the new use of the well.

Ms. Carluccio had previously asked Ms. Grzankowski what the estimated use of water would be for the agricultural use. The prior use for a four bedroom home was 400gpd. The well is not certified as it is an older well. Ms. Carluccio referred to table 7-E in Chapter 176 Water Supply which outlines estimated water use for livestock categories; using this table Ms. Grzankowski calculated 132.6gpd. Ms. Grzankowski also states the water will be used for cleaning and rinsing out the troughs and

feeders; the total amount will be about 250gpd. There will be increased use in the summer and winter.

Ms. Carluccio commented that it is an unusual situation; the house is being converted to agricultural use and the use now will be less than the residential use. According to the ordinance a test does not need to be done. A test is not required for a change of use but is required if the current use is going to increase by twenty percent or more.

Ms. Carluccio referred to the vineyard and other locations where a totalizing flow meter has been required. She expressed concerns of the use increasing, the property changing hands, or the use changing where the Board would not have a way of knowing if the use would exceed 400gpd plus twenty percent. Some ways of monitoring including monthly readings reported quarterly or quarterly readings. She noted that this property is in the mountain zone, which is a consideration.

Mr. Wang-Iverson said a flow meter makes sense with quarterly readings being sufficient. Readings could be e-mailed to the Board of Health office. Taking monthly readings and reporting quarterly was suggested. Mr. Tatsch suggested monthly readings for a specified period of time and then possibly reducing the frequency of the readings to quarterly once there is a use history established. If use increased monthly readings could be required again.

It was decided that monthly readings reported quarterly would be required. After two years the well owner can request that less frequent readings be required.

Ms. Grzankowski said they are using the same amount of water regardless of which well it is being drawn from. Ms. Carluccio explained that the meter will show the actual usage to monitor that it doesn't increase beyond the present use. If use increased by twenty percent over 400gpd recertification of the well for a greater usage would be required. An increase could have an impact as the well is in the mountain district where there is a limited water supply.

**Mr. Tatsch made a motion to lift the condition of the previous approval for the well and to allow the use for agricultural purposes with a totalizing flow meter as described noting that the applicant has a total anticipated use of up to 250gpd. The use cannot exceed 480gpd. Mr. Wang-Iverson seconded the motion. All were in favor; the motion carried.**

Mr. Grzankowski inquired about her next step. Ms. Carluccio directed her to the County and the well driller to register the well.

### **ITEMS OF DISCUSSION**

#### **A. East Amwell School**

Ms. Carluccio explained that there are four septic systems at East Amwell School. The use is over 2000gpd so approval of the systems is at the state level and a National Pollution Discharge and Elimination Permit is needed along with a treatment works approval. These approvals have been in place for many years. The school water use is part of the Township's Water Quality Management Plan.

Ms. Carluccio reported that one of the oldest septic systems has malfunctioned and will be replaced. This will be done through the state. Ms. Carluccio and the County have spoken to the engineer designing the system. Since the system is in the Township's Water Quality Management Plan the treatment works approval requires the Board of Health to certify that the system is not in violation of any Board of Health ordinances.

The County has agreed to waive their fee for a cursory review of the application to insure the system is not in violation of the Board of Health ordinances although the County does not have the jurisdiction to approve the application. The County will provide a letter to the Board after their review.

At this time the Board does not have to act on the application. East Amwell School is requesting that the Board of Health waive their application fee as well. Ms. Carluccio inquired about the amount of the fee. Ms. Rosikiewicz reported that the County fee for an alteration application is \$225; the Township fee is \$25.

**Mr. Wang-Iverson moved that the \$25 fee to East Amwell School be waived. Mr. Tatsch seconded the motion. All were in favor; the motion carried.**

B. Education and Health Issues

1. 9/23/13 e-mail Onsite Management Advisory from EPA, Bureau of Nonpoint Pollution Control re: EPA Established September 23-27 as SepticSmart Week

Ms. Carluccio commented on the e-mail not coming earlier before the event and commented favorably on having the Board hold an education program next year during the national week. She mentioned putting an article in the VIP and information being sent out to residents next year. She noted the importance of people knowing how their septic system works, how to take care of it, and that tanks need to be pumped every two to five years.

A. Board Secretary's Report

There was no report.

**CORRESPONDENCE**

A. East Amwell

1. 9/11/13 Report from Garden State Labs for well tap, Clawson Park and 9/24/13 Report from Garden State Labs for Restroom Sink, Municipal Bldg.

Mr. Tatsch remarked that both tests looked good; there are no issues.

2. 10/8/13 E-mail from Richard Jasaitis re: New Market Farm – Well Test Protocol

Ms. Carluccio noted that Mr. Jasaitis was present although it was not required he be here and the Board does not have to take action. She would like to make the Board aware of how the test is going to be done.

Richard Jasaitis approached the dais and introduced himself; he is a hydrogeologist who does private consulting and is working for New Market Farm.

Mr. Tatsch explained that this is an unusual case as the well will be used for a combination of residential and agricultural use. In most cases agricultural use is less than twenty percent of the residential use; in this particular case the agricultural use is greater than twenty percent. Mr. Tatsch explained that there was some difficulty in developing a test protocol that would be able to anticipate usage both for the home and agricultural purposes. The three part pump test is designed for residential use. The Board's hydrogeologist consultant, Peter Demicco, reviewed the numbers and developed a protocol which is the same as the standard three part pump test but increases the time for the constant rate part to greater stress the well to give a better indication of how the agricultural use might affect the capacity of the well over a longer period of time. This test will also give a better indication if there is any interference to other residential wells in the area than the usual test would. There are three wells that will be monitored for interference.

Mr. Tatsch said Mr. Jasaitis noted 200gpd per bedroom; Mr. Tatsch said 100gpd is the requirement. Mr. Jasaitis said some towns require 200gpd; therefore he specified 200gpd to be conservative. Mr. Jasaitis said there is a potential to board twenty horses; the Board of Health ordinance requires 10gpd per horse. Mr. Jasaitis is requesting the allocation of 30gpd per animal as the horses will be washed and have other tack needs in addition to water for consumption.

Ms. Carluccio said this protocol meets the Board's ordinance requirements. Mr. Jasaitis reviewed the Board hydrogeologist Peter Demicco's recommendations and felt it was a reasonable test. All notifications have been done. Mr. Demicco concurred with the choice of the three homeowner wells that will be monitored; there were more than three residents who responded to be tested. Three wells are required by the Board's ordinance. The wells were not only chosen by location but also by geology present. The three wells chosen are on Snyderstown Rd.; each one is around 500 to 700 feet from the well being tested. There were two other residents that responded to the notice but Mr. Jasaitis explained that their wells are not being tested as they are less likely be effected due to the orientation of the fractures. The test will look at the homes most likely to have some response in their well.

Mr. Tatsch inquired if Stover would be doing the testing. Mr. Jasaitis said that both he and Tom Stover will be on site for the testing; there will also be water samples taken per the Well Testing Act. Mr. Tatsch inquired if Mr. Stover had digital read out meters that Mr. Tatsch could use. Mr. Jasaitis replied that Mr. Stover has a meter that functions as a radar unit and uses ultrasonic pulse and he will also bring a water probe. Mr. Tatsch explained that it will be complex as there are three wells that are a distance away from the New Market Farm well. Mr. Tatsch expressed the importance of the water level in the three wells being noted when the constant rate test is shut off. Mr. Jasaitis and Mr. Tatsch further discussed the equipment to be utilized during the test which is scheduled for October 24<sup>th</sup>.

Mr. Tatsch explained to the Board that this test has not been performed in a few years in the Township; it would be an excellent opportunity for the Board members to get hands on experience. Mr. Tatsch went over the timing on the day of test. The test time will be about five and a half hours although the recovery could last overnight. Ms. Carluccio explained where the site was located at Mr. Van Horn's request.

Ms. Carluccio expressed that once the test is done the Board may want to consider a totalizing flow meter for this well; which is typical for a non-residential use and residential uses when there is a home office present. It was noted that the zoning has not been approved yet.

#### **BILLS OF THE EVENING**

**Mr. Wang-Iverson made a motion to approve the bills of the evening; Mr. Peyrek seconded the motion. All were in favor.**

#### **OPEN TO THE PUBLIC**

Mr. Hamilton explained that at the last meeting he raised a question about an e-mail from the County, which was on the agenda, regarding waiving a recycling permit for Stonybrook Meadow Farms. Mr. Hamilton contacted Carla Hobbes at the County for more information. A permit is required from DEP when there is a very large amount of recycling. The need for a permit for Stonybrook Meadows was waived although it does not waive the need to recycle. Stonybrook Farms is recycling trees, leaves, yard trimmings and compost which are all organic and agricultural related.

**Being no further comments from the public Mr. Van Horn made a motion to close the meeting to the public; seconded by Mr. Tatsch. All were in favor; the motion carried.**

#### **ADJOURNMENT**

**Ms. Wang-Iverson motioned, seconded by Mr. Peyrek, to adjourn the meeting at 8:48 p.m. The motion carried unanimously.**

Respectfully submitted,

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Christine A. Rosikiewicz

**These minutes have not been formally approved and are subject to change at the Board of Health 11/19/13 meeting.**