The regular meeting of the Board of Health was called to order at 7:32 p.m. Present for this meeting were Tracy Carluccio (Board Chair), Tony Berberabe, Les Hamilton, Ted Peyrek (arrived at 7:37), Pauline Serafin, Larry Tatsch (Vice Chair), and David Wang-Iverson. Bogdan Sleczka and Charles Van Horn were absent. Christine Rosikiewicz, Board Secretary, was present. Dan Wyckoff from the Hunterdon County Division of Public Health was also in attendance.

In compliance with the Open Public Meetings Act this meeting was advertised as a regular meeting in the February 13, 2014 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 December 10, 2014.

ANNOUNCEMENTS/AGENDA REVIEW:

Under New Business:

2015 Contract Animal Control & Investigative Services, LLC

Under Education and Health Issues:

Hunterdon County LINCS

12/8/14 Info: First Responder Program Updates

12/12/14 Info: Coping with Public Health Emergencies

PRESENTATION OF MINUTES –OCTOBER 21, 2014 AND NOVEMBER 18, 2014:

Approval of the October minutes was tabled until later in the meeting when Mr. Peyrek was in attendance.

Mr. Hamilton made a motion to approve the November 18, 2014 meeting minutes; Mr. Wang-Iverson seconded the motion. All were in favor; the motion passed.

OPEN TO THE PUBLIC

There were no public present.

Mr. Wang-Iverson made a motion to close to the public; Ms. Serafin seconded the motion. 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 is no new information. Mr. Wang-Iverson inquired about digging on the property. Mr. Wyckoff explained that soil has been removed and will find out why there was digging.

2. FINAL NOV 7/16/14 B 25 L 11.02

This property is at 175 Wertsville Rd. Mr. Wyckoff reported that the homeowner is making progress and continues to remove solid waste from this site. The final extension deadline is February 9, 2015.

3. NOV 4/12/14 B 11 L 5 – update

This property is at 12 Boss Rd. Mr. Wyckoff reported that the solid waste continues to be an ongoing problem. The responsible party cannot be identified; there is no clear ownership of the property as it is in foreclosure. Mr. Tatsch inquired if the County would contract to have waste removed and bill the property owner for the cost if the situation was severe. Mr. Wyckoff was unaware if that had ever been done in the past. Mr. Wyckoff referred to new state laws regarding this type of situation which need to be adopted by the Township in order to be enforced. Mr. Wang-Iverson said this is something Township Committee is looking in to for the beginning of 2015. Mr. Wyckoff said the inspector will continue to monitor the solid waste on the property.

4. NOV 9/3/14 B 15.01 L 2

This property is Dunkin Donuts on the corner of 202 and Old York Rd. Mr. Wyckoff reported that the septic system alteration is still being reviewed by the state and will be submitted to the Township for approval once the review is complete. The tank continues to get pumped. Ms. Carluccio inquired if the County was receiving receipts. Mr. Wyckoff will request them.

B. Preview Committee

1. Septic System Alteration Application B 26 L 11

Ms. Carluccio explained that the Board heard the concept of this system being proposed in October. Mr. Paul Harenberg, licensed engineer, introduced himself. This system is for the property located at 15 High Mowing Rd.

Mr. Hamilton recused himself at this time and left the meeting room as the applicant is his friend and neighbor.

Mr. Harenberg said the property is for sale. There is a Nayadic advanced treatment unit serving the property; this is an aerobic unit. The system was inspected; the Nayadic advanced treatment system was satisfactory. The disposal field was unsatisfactory.

Three soil logs were performed on the property. They were similar with five inches of top soil underlain by a rock substratum. There was machine refusal between 5.2 and 6 feet in depth. One full basin flood test and two partial tests were performed; they all failed. A sample of topsoil was taken and soil permeability class rating test determined the top soil was a K1; this is the lowest rating.

A drip dispersal system with advanced treatment is being proposed as the top soil has permeability but the rock substrata underneath did not. Mr. Harenberg said this is common for the area. Mr. Wang-Iverson inquired if Mr. Harenberg had a letter from Nayadic approving the design. Mr. Harenberg said he did.

Mr. Harenberg explained that a drip system would never be the first choice to use on a site but it is the best choice for this site. With regard to the design every system utilizes an advanced treatment unit; either peat or aerobic. This system has an aerobic system which is working perfectly well. The Nayadic tank discharges to a pump tank which is fitted with a special outlet riser that is suitable for drip dispersion. Drip dispersion has pipes that go in and out depending on how many disposal fields are in the system. The drip field has been designed based on the manufacturer recommendations and state requirements; two 1000 sq. ft. fields that are dosed intermittently are being proposed. Doses are timed via a control panel. Select fill will be in the disposal field which will be raised by two feet. Bi-yearly maintenance is required on the system; this will be noted on the deed.

Mr. Wang-Iverson inquired if top soil will be added to the field. Mr. Harenberg said it would be. It was noted that the "top soil" was select fill.

Mr. Harenberg went over the waivers needed as outlined in the county letter. He noted that the tank is functioning as designed and will be in satisfactory condition. Mr. Wang-Iverson asked if the tank is the right size for the proposed use. Mr. Harenberg said it was; he has a letter from the Nyadic dealer stating this. Mr. Wang-Iverson inquired regarding the compressor. Mr. Harenberg said it was recently replaced in the past five years. Ms. Carluccio said she spoke to the DEP regarding how long this type of unit lasts. She was advised that the tank could last for a long time if it is sound but some have more moving parts than others. Ms. Carluccio inquired which bacteria system this tank uses, floating or plastic media. DEP advised Ms. Carluccio that the media for attracting the bacteria would need to be replaced over time in addition to the compressor. Mr. Harenberg did not know but noted it is one of the simpler advanced treatment units. Mr. Harenberg said the tank needs a new delivery pipe and a locking lid installed. The Nayadic system will remain due to the cost of replacing it. Ms. Carluccio inquired if an in situ test will be done as required. Mr. Harenberg said it would be done.

Mr. Tatsch inquired about septic system use during a prolonged power outage noting that the pump would not work and the effluent would not be treated. Mr. Harenberg recommends the toilet not be flushed when the power is out. The unit would eventually overflow if used; 1150 gallons could go in the reserve tank until it overflows. Mr. Tatsch inquired where the overflow would occur. Mr. Harenberg said the fields are elevated so worst case scenario the overflow would go into the pipes to the field or into the house. Mr. Tatsch is concerned with untreated effluent rapidly clogging the pipes causing the drip system to fail. Mr. Harenberg said the deed would be noted to make the property owner aware [that the system will fail during a power outage]. Ms. Carluccio said the homeowner should be made aware that backup power for the system is recommended to insure that the aerobic unit will continue to function during a power outage.

Ms. Carluccio inquired if there was a letter from the manufacturer to satisfy the first condition in the county letter. Mr. Harenberg provided signed and sealed letters from professional engineers regarding the existing tank including one letter from the manufacturer of the system stating the system can handle a four bedroom home, a letter from Hoot stating that an onsite inspection was completed, and a letter from the engineer who completed the septic inspection.

Ms. Carluccio said the DEP staff she talked to said it is important that the connection between the two systems is done property. This system will be a Nayadic system connected to a Hoot system. Mr. Harenberg said the Nayadic will flow through the pump tank which has a special riser and delivery and return lines.

Mr. Wang-Iverson said the letter from the distributer says this is a M6 unit which is rated up to five hundred gallons per day. The system is being designed for 650 gallons per day. Mr. Wang-Iverson inquired if this would be a problem. Mr. Harenberg said it depends on the state; New Jersey has a higher requirement. He explained that the current system is serving the four bedroom house. Mr. Harenberg offered to obtain a letter with this revised number. Mr. Wang-Iverson referred to the manufacturer's website which has the M8 for 4 bedrooms at 600gpd. Ms. Carluccio asked what the requirements in New Jersey are. Mr. Harenberg said the state uses the manufacturer's recommendation. Ms. Carluccio said the manufacturer said an M8 should be used. Mr. Harenberg offered to ask the manufacturer if they will certify it for four bedrooms in New Jersey for 650gpd. Mr. Tatsch noted that the larger unit may not have been available thirty-seven years ago when the system was installed and noted favorably that the company is still in business. Ms. Carluccio said the letter states M6A unit is 500gpd. Mr. Wang-Iverson said the website has the same information and states the M8 is 600gpd. Mr. Wang-Iverson asked Mr. Harenberg to "double check" with the manufacturer and referred to page 8, table 4 of the design manual on the website "Sizing for Single Family Dwellings". For four bedrooms, with no garbage disposal, they recommend 600gpd. For three bedrooms they recommend 500gpd. The M6 is rated up to 500 and the M8 is rated up to 600. Mr. Peyrek inquired if the M6A could be sized in between the two. Ms. Carluccio said she could not find the sizing information in 7:9-A for drip dispersal systems noting that New Jersey has a higher per bedroom design flow than some other states. Mr. Tatcsh confirmed that New Jersey uses 150 gallons per bedroom. Mr. Wang-Iverson noted that the unit is already in use; there is a discrepancy as the unit is for 500gpd and the design is for 650gpd. Mr. Tatsch said a letter from Nayatic stating the M6A Nayatic unit will accommodate a four bedroom home and also meets the requirements of the state of New Jersey for bedroom design flow would suffice for the Board.

Ms. Carluccio referred to item #2 in the county letter noting the basin flood test failed. The soil class rating test was used with a result of K1.

Ms. Carluccio referred to item #3. The state regulations require 6-12 inches of soil for a perc test; there was only five inches. Ms. Carluccio explained that she asked the DEP if the Board could waive this state requirement. The DEP said a waiver is allowed for this strict rule as the system is for an existing home. Ms. Carluccio said the five inches of soil is so bad that the only alternative for the property would be a holding tank. The DEP staff member also said that to use a drip dispersal system advanced treatment is allowed and an aerobic system with drip dispersal is a good combination. This system will allow for more normal operation of the septic system than a holding tank.

Mr. Tatsch inquired if the two feet of select fill below the drip system is because of the five inches of soil. Ms. Carluccio said this is required with all systems per 7:9-A. It is to provide a functioning zone of treatment for disposal.

Ms. Carluccio referred to the November meeting when the lack of space for the system on the property was discussed.

Mr. Harenberg explained that three soil logs are required but only one was done in the disposal area. All the soil on the property is very similar. Since this will be a mound system he would rather not disturb the top soil as it is now.

Ms. Carluccio referred to item #5 on the County letter regarding the use of the Hoot system and the required letter from Hoot. Mr. Harenberg provided a sample of the flexible tubing used in the Hoot system to the Board for their inspection. Ms. Carluccio said the system was warrantied against root invasion for ten years and inquired if the tubing typically needs to be replaced after ten years. Mr. Harenberg said it depends on where the system is placed noting that is it recommend there be no trees around the system or that drop into it. He has not been using these systems long enough to know what would happen after ten years. Mr. Wang-Iverson inquired if this recommendation should be included in the approval of the system by the Board so future property owners are aware of it. Mr. Harenburg said he will make a recommendation that trees should not be planted over or along the edges of the system. The septic code requires no trees be within ten feet. Ms. Carluccio inquired what language Mr.Harenburg would recommend as ten feet does not seem far enough away from the system. Mr. Harenburg would recommend trees are not planted within twenty-five feet of the system. The Board agreed with this recommendation.

Ms. Carluccio said the County letter outlines the standard list of maintenance requirements. The manufacturer maintenance requirements were also listed. She referred to #12 in the letter and explained that 7:9-A specifies that in addition to the state requirements any manufacturer requirements for maintenance must be followed and included in the notes.

Mr. Wang-Iverson inquired if this would be considered a new system for the purposes of inspections which are required twice a year for the first two years. Mr. Harenburg explained that the pump tank components and riser are new and will be inspected twice in the first year.

Ms. Carluccio went over the basic requirements that the engineer be sufficiently knowledgeable of the system and the state requirements.

Mr. Tatsch inquired about the existing field. Mr. Harenberg said it was a bed with laterals in it.

Ms. Carluccio inquired about any problems with similar systems installed by Mr. Harenberg. Mr. Harenberg said the manufacturer is on the site when the system is started up and work out any glitches with the components. He designed one system in Warren County that has been working for three to four years. A second system was designed but not installed.

Ms. Carluccio said there are the five items from the County letter and there will be two additional conditions added that the existing aerobic tank be tested in place to make it sure it doesn't leak and that no trees are planted within twenty five feet of the system.

Mr. Tatsch asked that approval of the system be subject to receipt of a letter from Nayadic that indicates that the system will meet New Jersey requirements for a four bedroom home.

Ms. Carluccio said there will be a recommendation for a backup power supply for the system put on the deed. Mr. Tatsch commented about the house becoming uninhabitable without a backup generator.

Mr. Tatsch moved approval of the system subject to the receipt of a letter from the manufacturer that the system meets state requirements and with the additional three

conditions mentioned. Mr. Wang-Iverson seconded the motion. All were in favor; the motion passed.

2. Septic System Alteration Application B 16 L 8.11

Mr. Doug Fine, licensed professional engineer, and Mr. David Lisowski, property owner, approached the dais. The property is located at 18 Fox Hunt Rd. Ms. Carluccio noted that Preview Committee has met and reviewed this application.

Mr. Fine explained that the application is for an alteration to fix a malfunctioning system which has backed up a few times. An aerobic treatment system is being proposed due to the size of the property. It is one acre and surrounded by other one acre properties with wells in close proximity. The well is located behind the home; the 100ft well radius takes up two thirds of the property. The neighboring well 100ft radiuses to the south and east also take up much of the property. He noted the numerous setbacks and limited space.

Mr. Fine said there were passing pit bail tests for permeability and noted that waivers are needed including one for the use of the aerobic treatment system. Mr. Fine referred to the December 4th approval letter from Hunterdon County. The letter incorrectly states a drip dispersal system instead of an aerobic treatment system.

Mr. Fine referred to the October meeting where he discussed the advanced treatment system with the Board based on the extremely small sight.

Mr. Wang-Iverson inquired if the drainage issues have been addressed. Mr. Fine explained that there is a lot of storm water that sheets across the properties and comes off the road. Part of the installation of the system is to keep positive drainage and not dam it. The reduced mound height helps with this. Any water sheeting across the property will be kept from ponding around the system by the grading. The flow will move from north to south from the driveway to the left. The laterals will be high enough above the regional water table. The water table is very shallow. The soil logs exhibited the water table are 30 and 36 inches below grade. The existing lateral is 36 inches below grade when the ground is saturated. The mounding will help and provide the separation distance. Eighteen inches is required for aerobic treatment; it is provided in this design if using the highest water table with mottling at thirty inches in soil log 2. Mr. Fine has provided eighteen inches vertically in addition to the aerobic treatment which will complete the full zone of treatment. The laterals will be placed on twelve inches of stone. The top of the system will be on top of the existing grade.

Ms. Carluccio referred to the County letter. The first waiver is for the use of the aerobic system. The second is for only three soil logs being performed. Ms. Carluccio inquired why only three were done. Mr. Fine said four were done but the location of one of them is in the vicinity of the tanks. There was nowhere else to take them as there are gas lines and well radiuses. Soil logs 2, 3 and 4 were taken within the bed. The first soil log was exactly 100ft from the property well and 100ft from the neighboring well. A pit bail was performed in soil log 1 which is adjacent to the proposed septic tanks. A pit bail was done in soil log 2 which is just below the trees. All four soil logs exhibited the same soil conditions. Ms. Carluccio said they should be labeled on the drawings. Mr. Fine will do this. He read off notes on the plans as follows:

The system installer should be NEHA certified. A copy of that certification will be provided to the health department prior to the installation.

The system requires an auto dialer in the panel. This is required by code. This will be supplied by Tri State Home and Septic, who is the local New Jersey distributer.

A valid maintenance contract is required perpetually for these types of systems. A signed contract will be provided at the time of installation.

The deed notice will be filed stating that this is an advanced treatment system on the property and that the requirement is in place.

Mr. Fine referred back to the County approval letter. Item two states there were only three soil logs used. Mr. Fine said there were four used for the design; three of them are located in the bed, the fourth one is outside the bed. This is because of limitations of space.

Item #3 from the County letter states the system is based on state code sizing criteria for aerobic systems, 0.956sqft per gpd is being used. This does not comply with the Township requirement of 2.08sqft per gpd. Ms. Carluccio noted that this is one of the reasons the aerobic system is being used; so it can be fit into a smaller field.

Item #4 (mislabeled #3 in the letter) states the toe of the mound is 19 feet from the property line which does not meet the 25 foot setback per township code. Mr. Fine said State code refers to a measurement taken from the edge of the excavation, rather than the grading, to the property line when determining this measurement. The state code setback requirement is ten feet. Mr. Fine noted that the County tries to keep the grading outside of the setback although this is not required by code. There is no place else to locate it with consideration to the gas lines and nearby wells. The bed will be twenty one feet from the property line. There is a 5:1 slope. The grading will be contained on the property due to the aerobic system allowing for a lower mound height.

Item #5 on the County letter states the proposed disposal bed will be 43 feet from the existing storm grate on Fox Hunt Rd. Storm grates are considered a watercourse and require a fifty foot setback by state code and a 100 foot setback per East Amwell code.

Item #6 (labeled #5 in the letter) is for a waiver for the setback distances from the well. Mr. Fine said the tanks may be able to be moved a little bit but the township 100 foot setback will not be met noting the trees are to be saved and the roots or neighboring well can't be encroached on. The distance does meet state code of fifty feet. Both tanks will be pressure tested for water tightness; they will be the same distance from the well as the existing tank.

Mr. Wang-Iverson asked Mr. Fine about the Nayatic systems compared to this system. Mr. Fine briefly went over how they work.

Ms. Carluccio inquired about the size of the tank. Mr. Fine said it is a 1500 gallon tank. There is a five hundred gallon chamber first and then a thousand gallon chamber for the aerobic. This unit is for a three bedroom home rated at 500gpd.

Ms. Carluccio asked the Board if they have any questions. She asked Mr. Fine about back up power for the system. Mr. Fine said the home has a generator. Ms. Carluccio suggested that it be noted that there is a generator and it is recommended it be used for this type of system. Mr. Fine will add a deed notice that the system requires back up power during an outage along with the notice that the system requires maintenance. Mr. Lisowski noted that his insurance company has requested the notice regarding back up power.

Ms. Carluccio summarized that six conditions and waivers are needed as outlined in the county approval letter. An additional condition of a recommendation for a backup power source to be added to the deed restriction will be required.

Ms. Carluccio asked if the NEHA certification was the same as the requirement in 7:9-A that the engineer be sufficiently knowledgeable of the aerobic system. Mr. Fine said that is a different requirement; he will note this at Ms. Carluccio's request. Mr. Fine explained that there is a test for the installer to become NEHA certified. The NEHA credential means that the installer is competent in the installation. The manufacturer and distributer, who are certified, set up the aerobic system. Ms. Carluccio asked that a note be added to the plans that the engineering firm is sufficiently knowledgeable of the pretreatment system.

Ms. Carluccio noted that there are six items on the County letter and two additional conditions to be added by the Board.

Mr. Wang-Iverson moved to approve the system with the waivers and conditions as described. Mr. Peyrek seconded the motion. All were in favor; the motion passed.

PRESENTATION OF MINUTES –OCTOBER 21, 2014 (REVISITED):

Since a quorum was now present Mr. Wang-Iverson made a motion to approve the October minutes with one correction (page 7, paragraph 1 replace "9.6. sq. ft." with "0.96 sq. ft."). Ms. Serafin seconded the motion. All were in favor; the motion passed with Mr. Berberabe and Mr. Tatsch abstaining.

C. Unfinished Business

1. Public Hearing and Adoption of Ordinance 14-02 BH - AN ORDINANCE TO AMEND THE CODE OF EAST AMWELL TOWNSHIP CHAPTER 176 WATER SUPPLY BY ADDING THE DEFINITION OF RESIDENTIAL WELL TO 176-3 AND FOR DELETING EXISTING SECTIONS 176-6, 176-7, 176-9 AND 176-11 AND CREATING NEW SECTIONS 176-6, 176-7, 176-9 AND 176-11.

Ms. Carluccio read Ordinance 14-02 BH by title and announced that this is the public hearing and adoption of the ordinance.

The Board Secretary announced that Ordinance 14-02 BH was published in it's entirely in the November 27, 2014 issue of the Hunterdon County Democrat and provided proof of publication.

Ms. Carluccio opened the meeting to the public for public comment on the ordinance.

Mr. Wang-Iverson made a motion to close the meeting to the public; seconded by Mr. Tatsch. All were in favor; the motion carried.

Ms. Carluccio asked the Board if they had any comments on the ordinance.

Mr. Wang-Iverson moved for approval of Ordinance 14-02. Mr. Tatsch seconded the motion. Voice vote by roll call: Mr. Berberabe, yes; Mr. Hamilton, yes; Mr. Peyrek, yes; Mr. Tatsch, yes; Mr. Wang-Iverson, yes; Ms. Serafin, yes; Ms. Carluccio, yes.

2. 2015 Board of Health Budget

Ms. Rosikiewicz had previously e-mailed a budget sheet from November 18th, an updated budget sheet she had requested dated December 9th, and a list of permits issued for the past few years to aid in budgeting to the Board. The County has advised that at this point there will not be any increases in fees for 2015. Mr. Cushing's contract is the same for 2015. Ferrerio Engineering soil log witnessing fees will be the same, however municipal engineering fees are increasing slightly. Both the 2014 and 2015 fees were provided to the Board for their review. She has requested 2015 information from Mr. Demicco, the hydrogeologist and will forward it to the Board once received.

Ms. Carluccio said the Board has a pretty good idea of their expenses. The municipal engineering fees increasing should not affect the Board.

Ms. Rosikiewicz explained that the soil log witnessing fee refunds are ongoing.

Mr. Wang-Iverson recommended the budget be left as it is noting that past CFO's said the Township tends to budget too tightly and too close to the actual expenditures of the previous years. He suggested adding $100 or $200 to the legal line in case an ordinance is proposed in 2015.

Ms. Carluccio reported that she spoke to Mr. Sousa regarding the report for the Ridge at Back Brook. It has not been completed yet; the cost of the report must remain in the budget. This item was not in the 2014 budget.

Ms. Rosikiewicz said the Board will be short in the 2014 miscellaneous line due to the refunds as she has one individual refund of $3000 noting this it is unusual to have one that large. Mr. Wang-Iverson asked Ms. Rosikiewicz to look into what that number will be for 2015. It was noted that a separate line was to be put in the 2014 budget for refunds but it was not so refunds continue to be taken out of miscellaneous. She will recommend to the CFO that a refund line be added in 2015. The importance of breaking this out was discussed as the funds are a "pass through" and not funds the Board is spending.

Ms. Rosikiewicz advised that $8000 was requested for refunds for 2014 but only $4200 was received. Mr. Wang-Iverson requested $8000 be requested for 2015 and asked Ms. Rosikiewicz provide an estimate for 2015.

Further comments were made about the budget lines and amounts. Ms. Rosikiewicz will put together an updated draft of the budget and provide it to the Board Chair to review.

ITEMS OF DISCUSSION

A. 2015 Contract Animal Control & Investigative Services, LLC

Ms. Carluccio noted that this was provided to the Board for their information.

BOARD SECRETARY REPORT

There was no report.

CORRESPONDENCE

There were no comments on any correspondence.

BILLS OF THE EVENING

Mr. Hamilton made a motion to pay the bills of the evening. Mr. Wang-Iverson seconded it. All were in favor; the motion carried.

OPEN TO THE PUBLIC

Being no public present Mr. Wang-Iverson made a motion to close to the public; Mr. Tatsch seconded it.

ADJOURNMENT

Mr. Wang-Iverson motioned, seconded by Ms. Serafin, to adjourn the meeting at 9:08 p.m. The motion carried unanimously.

Respectfully submitted,

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Christine A. Rosikiewicz