

The regular meeting of the Board of Health was called to order at 7:36 p.m. Present for this meeting were Tracy Carluccio (Board Chair), Tony Berberabe, Les Hamilton, Pauline Serafin, Bogdan Slecza, Larry Tatsch (Vice Chair), Charles Van Horn, and David Wang-Iverson. Ted Peyrek was 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 November 12, 2014.

**ANNOUNCEMENTS/AGENDA REVIEW:****Under Items of Discussion:**

Education and Health Issues

Hunterdon County Division of Public Health LINCS

11/17/14 Info: RDPC Isolation/Quarantine Training

**Under Correspondence:**

Onsite Management Advisory 11/12/14 – Upcoming PSMA Event

**PRESENTATION OF MINUTES –OCTOBER 21, 2014:**

Approval of the October meeting minutes were tabled until December due to the length of the minutes.

**OPEN TO THE PUBLIC**

There were no public present.

**Mr. Van Horn made a motion to close to the public; Mr. Wang-Iverson 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 spoke to the remediation professional who is overseeing the project. The VOC levels in the water have not diminished significantly over the last couple of months. Soil samples were taken; it was determined that the soil is contaminated which could be stopping the progress of remediating the VOC from the water. Sixty tons of soil was removed from the site including around the well head. It is anticipated that removing the soil will expedite the remediation of the groundwater. The well has not been resampled since the soil was removed but it is anticipated that the next test will show signs of progress. Ms. Carluccio inquired when the water will be sampled next. Mr. Wyckoff said before the end of the year.

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

This property is located at 175 Wertsville Rd. A re-inspection date is set for this Friday, November 21<sup>st</sup>. Mr. Wyckoff will report on this inspection at the December meeting. The homeowner has been cooperative and has been removing solid waste from his property.

3. NOV 4/12/14 B 11 L 5 – update

This property is located at 12 Boss Rd. It is unclear who owns this property as it is in foreclosure and neither the property management company nor mortgage company is taking responsibility for it. The house is vacant. Mr. Wang-Iverson noted that the house has not been secured.

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

This property is the Dunkin Donuts and Hess station. They are continuing to pump the septic tank. Mr. Wyckoff is unsure of the status of the new septic system application. Ms. Carluccio inquired if a treatment works approval (TWA) would come with the NJPDES approval. She believes the application will need to go to the Board if a TWA is needed. Mr. Wyckoff believes a TWA will be needed. Ms. Carluccio said she was advised by the county that the state will be reviewing the calculations as use will be over 200gpd. If use is calculated at under 2000gpd the application will go through the Board’s usual approval system.

B. Preview Committee

There were no items for preview committee.

C. New Business

1. Board of Health Budget

The Board of Health briefly discussed the budget to date. There is \$9089 remaining although there is \$5805 of refunds to be paid. Ms. Carluccio asked the Board to determine what the needs will be for the upcoming year. She noted that the ordinance reviews required larger than anticipated legal fees. One hundred was budgeted for legal. The food license ordinance cost \$198 in legal fees; a second bill will be coming in for the water supply ordinance. Funds from other line items can be used to pay this; there is \$3284 remaining in the budget after refunds to pay for the attorney and fourth quarter county bill. Ms. Carluccio asked the Board to consider any trends that would change the budget in 2015. It was noted that there have been developments approved that have not been built yet.

D. 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.

Mr. Tatsch explained that subsequent to the ordinance introduction information was received from Township Committee and the public and several changes were made.

**Mr. Tatsch moved to not have a public hearing and adoption of Ordinance 14-02 BH. Mr. Wang-Iverson seconded the motion. All were in favor; the motion passed.**

2. Introduction of revised 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 explained that the Ordinance Committee met and made further changes to the ordinance based on public input, Township Committee input, and the attorney's review. Board members were provided a copy of this ordinance for their review prior to the meeting.

Ms. Carluccio said under section 176-B the phrase "but are not limited to" was added at the last Board of Health meeting. Under 176-6 D it was decided, based on public input, that the requirement of installation of a water flow meter for residential replacement wells would be removed. This section has never been used but was created after a resident wanted to build a baseball field on their property. The baseball field was never built and this requirement was never applied to any property. There was public concern about this so it will be removed. Ms. Carluccio said that if a resident is going to use a large amount of water they may want the data a meter would provide to know for sure how much water is being used if neighbors question the amount.

In section E "Non Residential Development" the first line is the same and reads "Newly installed or altered non-residential wells require the installation of a totalizing water meter." She noted the importance of leaving this in the ordinance as the non-residential well use is higher and harder to track than a residential use.

There is a change in the reporting, Ms. Carluccio read from the ordinance as follows: "Readings should be reported monthly, at a minimum, or less frequently at the discretion of the Board if the user has septic system design restrictions or evidence of current or potential interference of neighboring wells". Mr. Hamilton is concerned about the word "evidence". Ms. Carluccio said this change provides more standards on how reporting can be done.

Section 176-9A part 1a "Test Requirements for Drilling Discharge Test" was changed to "Non-residential uses greater than 500 gallons per day". This change was made to clarify what was there and be more specific.

Section 176-11A part 3 adds the requirement to have a licensed official present. This is also stated under 176-9.

Mr. Tatsch noted that the ordinance is essentially the same as it was before; these changes make the ordinance clearer. The Board went over the ordinance as it relates to farms. If there is a farm use and no residential use it would fall under nonresidential development in the ordinance. If there is farm with a residence it would fall under the twenty percent rule if there was an increase in use. Mr. Tatsch explained that if a residence wants to install a farm, baseball diamond, or other use requiring additional water use then the water use will have to be no greater than twenty percent above the tested present use, or an estimation of their present use based on the number of bedrooms in the home. If use exceeds twenty percent then the property owner may be required to test the well. These changes to the ordinance will make the ordinance more "concrete".

\*\*\*\*\*

TOWNSHIP OF EAST AMWELL

ORDINANCE 14-02 BH

AN ORDINANCE TO AMEND THE CODE OF EAST AMWELL TOWNSHIP CHAPTER 176 WATER SUPPLY BY ADDING THE DEFINITION OF RESIDENTAIL 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.

BE IT ORDAINED that Chapter 176 Sections 176.3, 176-6, 176-7, 176-9 and 176-11 of the Code of East Amwell Township, Water Supply, be deleted in its entirety and replace with the following:

**176.3. Definitions.**

**RESIDENTIAL WELL**

**A well used for residential use which can include farming and livestock.**

**§ 176-6. Certification.**

A. All new or altered water wells constructed in East Amwell Township and subject to Township well permits shall be approved by the administrative authority prior to use, after passing the requirements of the drilling discharge test as described in § 176-9, the residential three-part pump test as specified in § 176-10, the three-part aquifer test for subdivisions in § 176-11, or the nonresidential three-part aquifer test as specified in § 176-12, as applicable. All new or altered water wells that are subject to the three-part pump test and are located in proximity to existing producing water wells shall undergo the well interference test as specified in § 176-13 to the satisfaction of the administrative authority or its agent before certification.

B. Existing [~~residential~~] water wells will require Township recertification [~~to support an alteration for any change of use that will increase the demand on the well by~~] for any increase

~~in water usage of 20% or more over its certified capacity, or if not certified, at 20% increase over its present use. Examples of activities that would result in a water usage increase include but are not limited to adding a bedroom, adding livestock water requirements, and adding irrigation. [For increases under 20%, recertification may not be required for the alteration of residential wells.] The administrative authority reserves the right to require recertification for an increase under 20% if there is evidence of potential interference with neighboring water wells [reasonable question as to adequate supply or the impact on water resources.] [Changes in use might include, but are not limited to, adding livestock water requirements to a residential well, irrigation and so on. Any other alteration on any existing residential or nonresidential well will require that the well be tested and certified for the proposed use.]~~

- C. ~~For residential replacement wells, the requirement for three-part pump tests can be waived [upon presentation by the applicant of interference test waivers completed by the owners of all adjacent wells that would be eligible as observation wells in interference tests according to § 176-13A] provided there is no increased use beyond prior or certified use. Such residential replacement wells will be certified as to their actual yield measured by the drilling discharge test as specified on § 176-9.~~
- D. ~~[Installation of a water flow meter may be required for well certification at the discretion of the administrative authority.]~~

### § 176-7. Applicability.

#### A. General.

- (1) The well performance requirements and the well interference requirements contained in this chapter shall be applicable to any well construction or alteration in all areas of East Amwell Township if not specifically exempted in other sections of this chapter.
- (2) The provisions of this chapter shall apply to all applications to the administrative authority for:
  - (a) Approval as to suitability for subdivision as specified in § 176-7C with the exception of subdivisions performed solely for the purpose of merger, boundary adjustment or agricultural partition;
  - (b) Certification of proposed water supply prior to issuance of a construction permit to construct one or more dwelling units or any nonresidential facility; and
  - (c) Certification of proposed water supply prior to issuance of a construction permit for a change in use or expansion of an existing use requiring additional water.
- (3) Any such application submitted to the administrative authority for approval or certification shall be made on forms prescribed by the administrative authority and shall include but not be limited to all data as specified by this chapter and by N.J.A.C. 7:10-1 et seq.
- (4) Any such application shall include a plot plan showing the location of all new wells, the location of all preexisting wells, the location of all existing subsurface disposal areas and the location of, and test results for, soil tests for potential subsurface disposal areas within the distances shown in Table 8-A of § 176-8A below.

- (5) Any such application shall include the technical specifications for new wells as required in properly executed Forms DWR-138 "Well Record" as issued by the New Jersey Department of Environmental Protection.
- B. Existing lots. Certified wells shall be required for all new construction proposed on existing lots and requiring a water supply before a construction permit can be issued, renewed or extended. These wells must fulfill the requirements of the drilling discharge test as specified in § 176-9, the residential three-part pump test as outlined in § 176-10 for residential development, the subdivision three-part aquifer test as outlined in § 176-11, or the nonresidential three-part pump test as outlined in § 176-12. Both residential and nonresidential development must fulfill the requirements of the well interference test as described in § 176-13, where applicable.
- C. Major subdivisions. For all major subdivisions in all zones, a hydrogeological report shall be submitted prior to granting approval as to the suitability for subdivision by the administrative authority. This report shall include the information and data specified in § 176-7E below.
- D. Major and minor subdivisions — certified wells.
- (1) Certified wells shall be required for each lot of any subdivision in the Sourland Mountain District before approval as to the suitability of such lot can be granted by the administrative authority. For each of these wells, all wells on the other lots of the proposed subdivision must be available as observation wells. Preexisting producing wells located within the required distance from any test well as described in Table 13A *Editor's Note: Table 13A is included in § 176-13A.* may be used as observation wells at the option of their owners.
  - (2) For major subdivisions in all other zones, certified wells shall be required prior to the issuance of construction permits on each lot in that subdivision.
- E. Nonresidential development.
- (1) Newly installed or altered nonresidential wells require the installation of a totalizing water meter. Readings shall be reported monthly, at a minimum, or less frequently at the discretion of the Board if the user has septic system design restrictions or evidence of current or potential interference with neighboring wells.
  - (2) For nonresidential development proposals with a total projected water use for the project of 2,000 gallons per day or more in the Sourland Mountain District, or 4,000 gallons per day or more elsewhere in East Amwell, a preliminary hydrogeological analysis shall be required and shall include the information and data specified in § 176-7E below prior to granting of approval as to the suitability of the proposal by the administrative authority. Such analysis shall be performed by a qualified professional with experience in the field of hydrogeology and as a minimum shall include pump tests and well interference tests designed to show whether the water supply will be adequate for the intended use. Advance approval of all test protocols by the administrative authority shall be required.
  - (3) For nonresidential development proposals with a total projected water use for the project of less than 2,000 gallons per day in the Sourland Mountain District, or less than 4,000 gallons per day elsewhere in East Amwell, a simplified testing procedure consisting of a constant rate and recovery test shall be conducted as specified in § 176-12 below.

- (4) Demand for industrial and commercial use shall be based on N.J.A.C. 7:10-12.6. Agricultural demand shall be certified in writing by the landowner or applicant and shall include the total number of acres owned or operated, the acreage planted in each crop and the number of acres of each crop under irrigation. The letter shall also include a description of the irrigation or water use practices and irrigation equipment used and a description of the method used to measure the amounts of water diverted. Animal demands are obtained following Table 7-E below. If demand exceeds 100,000 gallons per day, a New Jersey water allocation permit must be obtained from the New Jersey Department of Environmental Protection.

#### § 176-9. Test requirements for drilling discharge test.

##### A. General requirements.

- (1) The capability of a residential well to meet the total water requirements of its user can be estimated by a drilling discharge test, a procedure commonly known as "blowing the well." This test shall be conducted under the direction of a qualified hydrogeologist, a professional engineer or a well driller, licensed under the laws of the State of New Jersey. The administrative authority reserves the right to witness all drilling discharge tests; the witness will certify the test results to the administrative authority on the appropriate East Amwell Township well testing report forms. A minimum of two working days' advance notice shall be provided to the administrative authority. The well driller may be authorized by the administrative authority to certify the results. The drilling discharge test cannot be used to certify new wells for:
- (a) Nonresidential uses [~~with the potentially higher stress of the aquifer than that of residential wells~~] greater than 500 gallons per day.
  - (b) New wells located closer to other wells than specified in Table 8-A.
  - (c) New wells located in the Sourland Mountain District of East Amwell Township.
- (2) Three-part pump tests will be required for these new wells.

##### B. Test protocol.

- (1) The drilling discharge test may be performed at any time during the drilling operation after the well casing has been installed but preferably after a promising aquifer has been penetrated and the desired well depth has been reached. To initiate the test, the drill rotation must be stopped and the flow of any feed water terminated. With the drill bit remaining at the bottom of the well bore, compressed air flow through the drilling pipe is maintained to discharge all the water from the well bore until the overflow has cleared up completely but for at least 20 minutes or to the maximum that conditions allow.
- (2) In the meantime, an annular catch basin is formed by mounding the drilling chips around the protruding well casing to collect the entire discharge. A short length of four-inch diameter pipe is imbedded into the wall of this catch basin to form a spout. The well discharge rate is then determined by timing the filling of a container of known volume (typically one gallon for lower well yields and five gallons for high well yields) under the spout with a suitable timer (e.g., a stopwatch). This timing is repeated in intervals of at least two minutes until three consecutive measurements do not differ by more than 10% or by not more than one second, whichever is greater. This flow test may also be

performed by other methods such as a calibrated v-notch weir with the prior approval of the administrative authority or the test witness.

- (3) It is important to conduct the entire test sequence without interruptions.
- (4) The static water level of all wells with a test yield of 10 gallons per minute or more as estimated by the drilling discharge test shall be measured after completion of the drilling operation and the removal of the drilling rig. To allow sufficient time for well recovery, the static water level must be measured no sooner than one hour after removal of water from the well has stopped.

C. Interpretation of the results.

- (1) If the drilling discharge test results indicate a well yield of less than 10 gallons per minute (GPM), the well will have to be tested by the three-part pump test as described in § 176-10 before it can be certified for use.
- (2) If the drilling discharge test results indicate a well yield of 10 GPM or more, a three-part pump test is not required for houses of five bedrooms or fewer, with no ancillary uses that exceed 100 gallons per day.
- (3) All pump tests shall be conducted under the supervision of a qualified hydrogeologist, a professional engineer, or a well driller or a pump installer licensed under the laws of the State of New Jersey, who shall certify the results to the Administrative Authority if the tests were not witnessed by an agent of the Administrative Authority. All test results shall be recorded on East Amwell Township Well Testing Report forms to be issued by the Administrative Authority.

§ 176-11. **Nonresidential requirements for three-part aquifer test.**

A. General Requirements.

- (1) The capacity of a non-residential well(s) to meet the average and peak demand requirements of its user shall be evaluated through a three-part aquifer test. The aquifer test shall be conducted with a background phase, a constant rate pumping phase and a recovery phase. The pumping rate and total gallons pumped during the pumping phase should demonstrate that the required water is available without adverse impact on adjacent properties, the aquifer and related surface water features. If multiple production wells are required to meet development demands, the aquifer test plan must provide details for either conducting individual well tests for each proposed production well or on conducting the test using multiple production wells.
- (2) The test shall be conducted in accordance with § 176-7C, D and E above. The minimum pumping rate for the testing shall be based on the calculated peak load times a factor of two to represent a daily maximum demand.
- (3) All pump tests shall be conducted under the supervision of a qualified hydrogeologist, a professional engineer, or a well driller or a pump installer licensed under the laws of the State of New Jersey, who shall certify the results to the Administrative Authority if the tests were not witnessed by an agent of the Administrative Authority. All test results shall

be recorded on East Amwell Township Well Testing Report forms to be issued by the Administrative Authority.

(4) The Administrative Authority reserves the right to witness all three-part aquifer tests. A minimum of two working days advance notice shall be provided to the Administrative Authority, which reserves the right to allot testing dates in case of scheduling problems.

The remainder of East Amwell Township Chapter 176 Water Supply remains in effect.

By Order of the Board of Health,

\_\_\_\_\_  
Tracy Carluccio, Chairperson

Attest:

\_\_\_\_\_  
Christine Rosikiewicz, Board Secretary

Introduced: November 18, 2014

Adopted:

\*\*\*\*\*

**Mr. Van Horn moved to introduce the revised Ordinance 14-02 BH. Mr. Wang-Iverson seconded the motion. Roll call vote: Mr. Wang-Iverson, yes; Mr. Berberabe, yes; Mr. Hamilton, yes; Mr. Tatsch, yes; Mr. Slecza, yes; Mr. Van Horn, yes; Ms. Serafin, yes; Ms. Carluccio, yes. All were in favor; the motion passed.**

Ms. Rosikiewicz announced that the ordinance will be published in the November 27, 2014 issue of the Hunterdon County Democrat. The public hearing and adoption are scheduled at the next regular Board of Health meeting on December 16, 2014 at 7:30pm.

Ms. Carluccio said the ordinance will be provided to all Boards and Committees, posted on the bulletin board, and published in the Hunterdon County Democrat. She said an e-mail was sent to all Boards to let them know a new ordinance was being considered tonight and that if the ordinance was introduced it would be e-mailed to all Boards and Committees after the meeting.

**ITEMS OF DISCUSSION**

There were no comments on any items of discussion.

**BOARD SECRETARY REPORT**

Ms. Rosikiewicz confirmed the date for the 2015 reorganization meeting with the Board; it will be on Tuesday, January 20<sup>th</sup> at 7:30pm.

**CORRESPONDENCE**

There were no comments on any correspondence.

**BILLS OF THE EVENING**

**Mr. Van Horn made a motion to pay the bills of the evening. Mr. Hamilton seconded it. All were in favor; the motion carried.**

**OPEN TO THE PUBLIC**

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

**ADJOURNMENT**

**Mr. Van Horn motioned, seconded by Mr. Wang-Iverson, to adjourn the meeting at 8:15 p.m. The motion carried unanimously.**

Respectfully submitted,

---

Christine A. Rosikiewicz