

The regular meeting of the Board of Health was called to order at 7:30 p.m. Present for this meeting were: Tony Berberabe, Tracy Carluccio, Les Hamilton, Bogdan Slecza, Pauline Serafin, Larry Tatsch, Charles Van Horn, and David Wang-Iverson. Also present: Board Secretary Christine Rosikiewicz.

In compliance with the Open Public Meetings Act, this meeting was advertised as a regular meeting in the January 28, 2016 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 on March 9, 2016.

ANNOUNCEMENTS/AGENDA REVIEW:

Under Unfinished and New Business:

3/10/16 letter from Zoning Officer to Mr. & Mrs. Paul & Gail Rodland re: Accumulation of Solid Waste and Motor Vehicles

Under Education and Health Issues -

Hunterdon County Division of Health LINCS:

3/8/16 Public Health Info: Webinar – New Jersey Poison Information and Education System

Under Bills of the Evening:

Bayer Risse, refund for overpayment of Soil Log Witnessing B 40.01 L 36.02 for \$360

PRESENTATION OF THE MINUTES –February 16, 2016

Mr. Wang-Iverson made a motion to approve the February 16, 2016 minutes with one typographical correction; Mr. Slecza seconded the motion. All were in favor; the motion passed. Mr. Berberabe, Mr. Tatsch, and Mr. Van Horn abstained as they were not present for the January meeting.

OPEN TO 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

Ms. Carluccio said Mr. Wyckoff provided a written report on Owens and Speedway as he was unable to attend the meeting tonight. The report was provided to Board members in their packets. Ms. Carluccio asked the Board if they had any comments on it.

Ms. Carluccio commented on the Speedway NOV where the County very specifically said nothing less than the approved system design can be installed on the site to correct the malfunctioning system. Mr. Wyckoff made it clear that this NOV is now in the court system so the Township should not be communicating with Speedway or the Dunkin Donuts owner

about it. The County is clear that Hess/Speedway is the responsible party. The court date has been put off until May.

B. Preview Committee

1. Septic System Alteration Application B 31 L 7.01

Paul Harenberg PE, from Engineering and Land Planning, introduced himself. The property is owned by Walter Zeltner and is currently for sale. The sale is pending per the septic installation. The property is 4.25 acres and is mostly a fenced in pasture.

Soil log testing was done twice, on November 23, 2015 and February 2, 2016. On November 23rd four logs were attempted, they were similar. Soil logs 1, 2, and 3 encountered fractured shale at 42, 42, and 45 inches. There was mottling at 12, 15, and 10 inches. There was machine refusal at 93, 108, and 112 inches. Soil log 4 had fractured shale at 54 inches, mottles at 12 inches, and then it went back into a silt loam material. There were machine limitations but no machine refusal. There was no seepage on the November testing date. Partial basin floods were attempted but after monitoring for an hour or two it was determined to wait and retest in the wet season rather than spend the money when they believed it would not work at this time.

On February 2nd, one month into the wet season, a basin flood test was attempted again. There was snow on the ground and the weather was warmer therefore melting snow affected the test. Four more soil logs were attempted which were similar to the first four. Soil logs 6 and 7 had slight seepage in the fractures but most of the water accumulation was melting from the top. It was assumed at this time that a test wasn't feasible as the ground water was limited and there was no way to cut off the melting snow. Testing was stopped after half a day. Mr. Harenberg said they may not get passing permeability even if testing is done on the most optimal day of the year.

Mr. Harenberg said the design is for a three bedroom residence, 500gpd. It is a pressure dosing design. The field size is 2.08sq per gallons per day, the field is 1400sq. The septic tank is a two compartment 1500 gallon tank; the pump tank is 1500 gallons. The system is located on the property where there are the "best case" permeable conditions, where the soils had the best fractures and permeability was the best. The site has a high water table as exhibited by the mottles found.

Mr. Harenberg understands that the Board may want him to retest in the field. He asked the Board what they would like to see in the design if there are no passing permeability tests.

Ms. Carluccio said the Preview Committee met and discussed this application. She asked Mr. Harenberg if he knew the age of the existing system. Mr. Harenberg did not know. Mr. Zelter purchased the home in the early 1980's; the septic was installed before then. Ms. Serafin inquired if there was a cesspool on the property. Mr. Harenberg said there wasn't to his knowledge. Ms. Carluccio said it is noted in Mr. Wolf's report that there is a cesspool in front of the home and to the right. Ms. Carluccio inquired if the cesspool was being used. Mr. Harenberg said Mr. Zeltner confirmed to him that a cesspool was not being used; there may

be an old abandoned cesspool. Mr. Harenberg will note this for further investigation; he will make sure it is abandoned. If it isn't abandoned it will be pumped, crushed, and he will make sure everything is going into the new system.

Ms. Carluccio said the Board's main concern is the lack of permeability noting that this is highly unusual. She spoke to the Division of Water Quality at the DEP today about this property. Ms. Carluccio was told that according to the 2012 changes it is required that systems have to come up to code as completely as they can for existing houses. A sub-standard system cannot be installed. Ms. Carluccio reviewed the code and provided copies to the Board. Ms. Carluccio read from the code to the Board; the code states that if it is not possible to bring the system into conformance the system should be brought as close to conformance with requirements as the administrative authority determines is possible. A holding tank could be considered by the administrative authority. Ms. Carluccio believes at this point more soil testing or a holding tank needs to be considered. There were areas of the property where testing wasn't done; Ms. Carluccio asked for the reason for this. She noted that the Board in this case needs to guide the applicant to bring the system as close to compliance as possible; the Board can insist that an alternative treatment system, such as a drip dispersal system, be considered. There needs to be enough room for this; this property is four and a half acres. Additional testing would be required. This is an alternative that may have to be used if there is no successful permeability testing.

Mr. Tatsch asked Mr. Harenberg why he wouldn't consider an aerobic system or peat system for this property as an alternative to a conventional system. Mr. Harenberg said his experience with the Board is that they prefer a conventional system be used. Ms. Carluccio said the Board is loath to approve a holding tank as they require expensive maintenance. She asked if there are areas where further testing could be done to try to get permeability or to show if a drip dispersal system would work. She spoke of a system approved years ago which combined pretreatment with a drip dispersal system.

Mr. Tatsch inquired about the soil log testing. A basin flood test would not work so a pit bail test was attempted. Mr. Harenberg said there was enough water in the February pit bail test as there was water coming through the fractures in the shale. If the snow was not melting he would have left it open to obtain a rate but this test was done after it had snowed three feet. The property slopes down. Some of the snow on top was still frozen but the snow on the bottom was melting and coming down the hill and dripping into the hole. It was hard to determine what was groundwater and what was melted snow. Mr. Tatsch asked Mr. Harenberg if he considered lab testing of the soils to determine what the actual permeability is. Mr. Harenberg said he could do this but did not as East Amwell code requires in field testing.

Mr. Berberabe inquired about the reason for the disposal plan reserve area on the plans. Mr. Harenberg said it is there because additional logs were done on that portion of the property and East Amwell code requires a reserve area. Ms. Carluccio explained that it is not required for replacement systems for existing homes, only for new homes. Mr. Wang-Iverson inquired if those soil logs were better. Mr. Harenberg said they were worse.

Ms. Carluccio asked why testing wasn't done in the other areas of the property and if more testing could be completed. Mr. Harenberg said he covered the reasons why testing was stopped, there was no groundwater in November and there was snow melting in February, and said he could complete more testing. To complete more testing at those times would have been wasting money. He explained that he could test in the northeast corner and the northwest corner. He went over the neighboring properties on the map. The other locations on the property are in pastures. Mr. Van Horn said more testing should be done as the situation is different now than it was in February. Ms. Carluccio asked Mr. Harenberg to keep in mind that the code allows for different technologies to be looked at by the engineer in order to solve this site specific problem with the permeability. The same type of system cannot be installed again as it appears as, based on the current soil results, it would fail over time.

Mr. Van Horn inquired about the timeframe for the sale of the property. Mr. Harenberg said the buyer was hoping to move in this past December. He is not aware of the deadlines at this time. Ms. Carluccio asked if the home was occupied. Mr. Harenberg does not believe it is. Ms. Carluccio said the Board would not want a malfunctioning system to continue to be used. Mr. Van Horn said time is of the essence for this to be resolved as the real estate deal could fall through as the buyer wanted to move in December. The system cannot be approved until April, at the earliest, when the Board meets again.

Mr. Tatsch does not believe there will be enough seepage to do a pit bail test. Mr. Tatsch suggested picking the best soil log and trying a basin flood test to see if there is any permeability. Ms. Carluccio commented on the soil logs being bad. Mr. Harenberg does not believe there is any permeability. Since it is three quarters through the wet season he cannot attempt a basin flood if there is any seepage.

Ms. Carluccio said there is another waiver for the high water table. This is another reason why a pretreatment should be considered in order to have a cleaner effluent than from a conventional system. She asked Mr. Harenberg to think about what is the best system for this property that will last noting a holding tank is a last resort but it is allowed for an existing home.

Mr. Harenberg asked if a drip dispersal system is designed would it need to go to the Preview Committee again and then to another Board of Health meeting or would this meeting suffice as a discussion of the drip dispersal system. Ms. Carluccio said the Board would like an explanation of the drip dispersal system. She recalled her conversation with DEP today noting that how the components are put together can be tricky; for example when an alternative treatment system is designed with a drip dispersal system. Ms. Carluccio does not want the Board to hold up this new system and wants to work as quickly as they can to approve it. Mr. Tatsch said the Board could possibly accept the application and review it less than ten days before the meeting; if all the information is there then possibly the Board could vote on it in April. Board members commented on this tight schedule; Ms. Carluccio said the Board would try to work as quickly as they can to hear this application in April. Mr. Harenberg was not expecting an approval tonight; his main reason for coming in was to expedite the application.

2. 3/8/16 Report from Princeton Hydro re: The Ridge at Back Brook – Review of December 2015 Sampling Event

Ms. Carluccio requested that this review be tabled until April. The report came in the same day that packets went out and Ms. Carluccio would like the Board to have adequate time to go through it. She usually reviews the report and then calls Steve Souza from Princeton Hydro with questions. She asked the Board to go through the report and forward any questions to her so she can forward them to Mr. Souza and be prepared for the next meeting. Since the Board does not pay for Mr. Souza to attend a meeting she wants to make sure the Board understands the report. Mr. Tatsch said he read the report very carefully and understands Mr. Souza feels very comfortable with the plan presented. Mr. Tatsch said he believes pesticide sampling every three years is appropriate but then if nothing is found the last sampling would be in 2021. It is then proposed that there is no further sampling. Mr. Tatsch asked how the Board would know different pesticides aren't being used and suddenly something does show up. This is concerning to him. Mr. Wang-Iverson said he and Mr. Reilly have discussed this and are considering requiring an affidavit from The Ridge annually indicating that they have not changed their pest management protocol. If they do change it then there are procedures for testing. Mr. Hamilton agreed with Mr. Tatsch and spoke on this at the Township Committee meeting. He believes the protocol will change as there are new, better pesticides in the future. Ms. Carluccio said when The Ridge was initially built they did not want specific chemicals listed in the ordinance as they reported that the chemicals would change as new products come out and different problems arise on the golf course, such as mold in the past. Ms. Carluccio will follow up with Mr. Souza on this. Mr. Hamilton expressed concern about differentiating between a current and new pesticide that may only be slightly different. Mr. Wang-Iverson said the language in the affidavit would cover this and believes it makes sense that they do not have to test every year unless different chemicals are used. Mr. Hamilton said The Ridge have been good neighbors and there has been no effect on the stream. Ms. Carluccio asked the Board to send any comments to her to forward to Mr. Souza and that this will be discussed at the next Board of Health meeting.

ITEMS OF DISCUSSION

A. Education and Health Issues

There were no comments on any items.

B. Board of Health Budget Status as of February 29, 2016

Ms. Rosikiewicz said the budget is fine, there were a few items posted since this report.

C. Board Secretary's Report

Ms. Rosikiewicz asked Board members to contact her if they need an updated copy of the State code. She can also provide a link to it online.

Ms. Rosikiewicz said the annual sodium chloride testing will be done on six homes this year, possibly seven if one home is added back into the program.

CORRESPONDENCE

1. East Amwell

A. 2/17/16 Anonymous letter re: Rescue Squad Property

Mr. Wang-Iverson said the Zoning Officer sent out a judgement on this letter to him indicating that he believed the vehicles on the property were justifiable. Mr. Wang-Iverson has not discussed this with the Zoning Officer yet. Comments were made about whether or not the vehicles are used for training.

B. 3/10/16 letter from Zoning Officer to Mr. & Mrs. Paul & Gail Rodland re:
Accumulation of Solid Waste and Motor Vehicles

Mr. Wang-Iverson said there had been a previous notice of violation on this property issued by the County. Ms. Carluccio said all the vehicle parts classified as solid waste were removed and the NOV was closed out about a year ago. There is a current complaint that solid waste has built up again and there are inoperable vehicles on the property that are not registered. The vehicles fall under the jurisdiction of the Township Zoning Officer. The solid waste falls under Board of Health and a County representative investigates these complaints. Ms. Carluccio asked the Board if this letter means the Board should again refer the complaint to the County to investigate the solid waste on the property. Board members have observed that there were six or seven vehicles in the front of the property and that the problem seems to be getting worse. It was suggested the letter be sent to the County. The Board asked Ms. Rosikiewicz to follow up with the Zoning Officer and advise that the Board would like the County to investigate the solid waste on the property.

BILLS OF THE EVENING

Mr. Van Horn moved the approval of the bills of the evening, seconded by Mr. Tatsch. The motion carried unanimously.

OPEN TO THE PUBLIC

Being no comments from any public Mr. Van Horn moved to close to the public. Mr. Tatsch seconded the motion. All were in favor; the motion passed.

ADJOURNMENT

Mr. Van Horn motioned to adjourn the meeting at 8:14 p.m. Mr. Tatsch seconded the motion. The motion carried unanimously.

Respectfully submitted,

Christine Rosikiewicz

Board Secretary

Note: These are draft minutes subject to change upon approval at the April 19th meeting.