

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 and Dan Wyckoff from the Hunterdon County Division of Public Health.

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 May 11, 2016.

ANNOUNCEMENTS/AGENDA REVIEW:

Under Unfinished and New Business

Hunterdon County Division of Public Health Inspector's Report

Under Owens (aka Woody's) B 16 L 11 – update

5/10/16 letter from DEP re: Removal of Classification Exception Area

Under Hunterdon County Division of Public Health LINCS

5/11/16 Public Health Update re: Zika Virus Phone Script Update 5-11-16

5/12/16 Public Health Alert re: Meningococcal disease (Neisseria meningitides serogroup B) Outbreak Associated with Rutgers University

5/13/16 Public Health Update re: Zika Testing of NJ Patients - Update

PRESENTATION OF THE MINUTES –March 15, 2016

Mr. Van Horn made a motion to approve the May 17, 2016 minutes with minor typographical corrections for clarification and the following change:

Page 5, last paragraph, 8th line: replace “keldon” with “Kjeldahl”. Remove “a biologically easily assimilated form of nitrogen” with “an analysis that detects organic nitrogen and ammonia.”

Mr. Hamilton seconded the motion. All were in favor; the motion passed with Mr. Tatsch abstaining.

OPEN TO THE PUBLIC

Mr. Van Horn made a motion to close to the public. Mr. Wang-Iverson 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

a. 5/10/16 Letter from DEP re: Removal of Classification Exception Area

and Ms. Serafin went on Google to figure out the layout of the map, it was there they learned the property was for sale and advertised with seven bedrooms. Ms. Carluccio reported that she contacted Mr. Harenberg today to ask him to be prepared to answer this question tonight. She also spoke to Bob Vaccarella to ask how the County deals with this issue as she recalls this same situation in the past where a home is advertised for sale with more bedrooms than the septic application says they have. Mr. Harenberg said he went by what the homeowner told him and was not aware of the advertisement saying seven bedrooms. Ms. Carluccio had contacted the County to request the definition of a bedroom per the County from Mr. Vaccarella. Form A from the County was provided and distributed to the Board. Ms. Carluccio read the definition of bedroom as follows:

“any room within a dwelling unit, finished or unfinished, which may reasonably be expected to serve primarily as a bedroom or dormitory.” The term bedroom shall be considered to include any room or rooms within an expansion attic.

She commented on this being very general but it makes it clear that a bedroom is any room that can reasonably be expected to serve as a bedroom. Even if a room is small it could serve as a bedroom. Ms. Carluccio said Mr. Vaccarella advised that the building code has a definition of a bedroom which is more refined although the County does not go by this code. The building code required a room have a window, a closet, and one entrance to be a bedroom along with other requirements. Ms. Carluccio said the question for the Board is what is the septic system designed to handle and how many bedrooms based on the flow design can be put into this home.

Mr. Tatsch expressed his concern that State code definition for a bedroom must be applied by the Board in every situation therefore if the rooms in this home meet this definition the Board would have to consider it a bedroom. Ms. Carluccio agreed the Board does have to follow this code.

Mr. Tatsch asked when renovations would begin that would decrease the number of bedrooms from seven to four.

At Ms. Carluccio's request the homeowner approached the dais and introduced himself as Jim Niva. Mr. Niva purchased the home in January. He said he has already taken all the walls down in the attic; previously there was one large bedroom and two medium sized bedrooms. It is an open space, the stairway opens right into it, and there are no doors present. The only bedrooms are four on the second floor.

The Board went over the requirements of a bedroom and discussed this in relation to the attic of this home. Mr. Wang-Iverson said the definition states “rooms within an expansion attic” and not the attic. Board members agreed with him. Mr. Wang-Iverson thought if the attic was completely open it should not be considered a bedroom. Mr. Berberabe asked if this attic was a living space. Mr. Niva replied that it is for the kids to have a large space of their own. It will be insulated.

A comment was made that it could be considered a fifth bedroom. Mr. Niva said there is a bathroom on that floor. Originally there were two bedrooms with closets on the left side and a larger bedroom on the right side. There is an original four square hallway from 1890 where a small bathroom with a small shower was built. All the walls and closet walls have been removed; the only door remaining is the one for the bathroom. Mr. Hamilton confirmed that there were no closets. Mr. Niva said there were none. Mr. Tatsch asked if there was a door on the stairway leading to the attic. Mr.

system will be closer in code than the previous one. Ms. Carluccio said if the Board is satisfied she would entertain a motion to approve the system with the two waivers outlined in the County letter.

Mr. Tatsch moved to approve the application and accept the waivers as outlined in the Hunterdon County April 29th letter which are:

- 1.) The toe of the slope will only be 11.7 feet from the property line.**
- 2.) The toe of the slope will be 3:1 instead of 5:1.**

Mr. Van Horn seconded the motion. All were in favor; the motion passed.

Mr. Tatsch noted Mr. Harenberg had a number of applications before the Board in the past few years with the same problem of bedrock being encountered at higher levels while digging soil logs while in other areas the bedrock levels were lower. He asked if Mr. Harenberg knew if any engineers used ground penetrating radar beforehand to try to determine bedrock before they start digging soil logs. Mr. Harenberg is not aware of anyone using it.

C. The Ridge at Back Brook

1. 12/21/15 (received 4/21/16) E-mail from Princeton Hydro re: The Ridge at Back Brook – Revised Sampling Plan
2. 4/27/16 Memo to the Planning Board from the Board of Health re: The Ridge at Back Brook Monitoring Program Recommendations

Ms. Carluccio said the Board received both these items previous to the meeting tonight. Ms. Carluccio reported that she attended the Planning Board meeting and reviewed the memo with the Planning Board. The Planning Board voted to not approve the application from the Ridge to change the sampling plan. The vote was 4 to 3.

Mr. Van Horn made a motion praising the action taken by the Planning Board to continue with the requirement that The Ridge at Back Brook be required to continue with the water testing program on an annual basis and denying The Ridge's request to have the testing sunset.

Mr. Hamilton noted that the vote was close; half the Planning Board didn't agree with it. Mr. Van Horn said that is why he would like the Board of Health to go on record supporting the Planning Board. He said previously the Board of Health passed a motion saying the Board did not want the plan to sunset. Mr. Hamilton asked for clarification that the motion is to support that the plan does not sunset. Mr. Van Horn said the Board is supporting the water testing program on an annual basis which is what the Planning Board decided four to three and that the plan not sunset. Mr. Hamilton said the Board of Health had said they "could live with" testing once every three years. Mr. Van Horn said there was discussion on this but no motion was made on this. Mr. Hamilton recalled that the Board of Health voted unanimously against sunsetting the testing requirements but he recalled the Board of Health agreed they would "go along" with the frequency of testing being reduced to once every three years. Ms. Carluccio recalled that there was not unanimity of the frequency of the testing. She recalled the Board said "that the Planning Board reserved the right to

would have been totally ignored on this issue. Mr. Van Horn feels strongly that the Board of Health would never have been asked their opinion on any of this. He believes the Board of Health is "all about" the water quality in this Township including every time the Board reviews a septic application or well, this is all about the quality of the water for the residents of East Amwell. He believes it is totally wrong for the Planning Board to be making decisions that could impact water quality. He said the Planning Board's interpretation was that the Board of Health did not have the authority. Mr. Hamilton and Mr. Tatsch agreed with this.

Mr. Wang-Iverson said that this is the way the approval for the golf course was written. Mr. Van Horn says he knows but he doesn't agree with it. Mr. Wang-Iverson, who is on the Planning Board, said he insisted the Board of Health get involved as it is in Chapter 92 that the Board of Health should have input into the testing protocols. Mr. Wang-Iverson said he thought it was important that the Planning Board receive that feedback from the Board of Health. The Planning Board also had testimony from Dr. Steve Souza, the Board's technical expert, from the beginning. Mr. Wang-Iverson says he agrees with Mr. Hamilton that he interpreted this motion that the Board of Health was agreeing with the three year interval. The language that was included in there was to provide for the option of adding testing within that three year interval if there was an issue that arose.

Mr. Van Horn said the Planning Board's action the other night means right now The Ridge would have to continue with annual testing and the plan will not sunset, nothing changes from the original agreement. Mr. Wang-Iverson said this is correct but the problem that has arisen is that the testing will continue exactly as it is which means The Ridge can continue to test for compounds they no longer use so there is no ability to change the sentinel compounds; that was part of what the Planning Board was trying to do. From his point of view it was a compromise to extend the interval but eliminate the sunset and then have the ability to change the testing protocol as needed. If different compounds were used the new plan would have allowed the Township to evaluate what their current practices are and change the current testing protocol as required. Due to the action taken the Township no longer has the ability to require this; the Township can ask but the Ridge can decline. This was further discussed and it was noted by Mr. Wang-Iverson that this point may have been lost in the discussion or not emphasized sufficiently. There was some discussion at the other extreme that testing isn't needed at all as comparable golf courses don't have this requirement. Mr. Van Horn commented about whether the comparable golf courses are in towns where all their residents are dependent on well water as this makes a big difference. He said he would not have a problem with the sunset if there was a public water system. Mr. Wang-Iverson said that is one of the reasons the sunset clause didn't have a lot of support. Mr. Wang-Iverson was trying to find a compromise. He believed extending the interval to three years based on the data was reasonable plus under the plan as outlined the Township would have some ability to change the testing protocols as needed or if there was an issue that came up. He repeated that this aspect (ability to change the testing protocols) got lost in the conversation as there were people at both ends of the spectrum regarding the sunset.

Mr. Van Horn said motions can always be reconsidered. Mr. Wang-Iverson said this is not clear; there may not be a mechanism to do that. Mr. Hamilton said The Ridge would have to come back in with a whole new application.

Ms. Carluccio asked if anyone had any further discussion on this motion, no Board members came forward. She said her own thought on this is that if the Planning Board wanted to have the ability to

Ms. Carluccio thanked the Board for thinking this through. Board members commented favorably on the Planning Board meeting and “healthy debate” and robust discussion at the meeting. Positive comments were made by Board members on the good representation from the public.

D. Annual Sodium Chloride Testing Results from New Jersey Analytical Laboratories

Mr. Tatsch composed tables outlining the results; copies were provided to the Board members. The first set of data was a line graph depicting one line for sodium and one line for chloride in the well water. There is no real trend in the data; this year’s results were pretty much in line with the previous year’s results.

Mr. Tatsch would like to go more in depth with what would be the contribution of road salt in any of these analyses. He explained that it is a challenge. If you take table salt, which is essentially the same as road salt, and dissolve it in a glass of water there are no longer sodium chloride molecules, there are sodium atoms and chlorine atoms. These atoms are charged atoms, sodium is a positive ion and chlorine becomes a negative ion, called chloride. Sodium or chloride could come from any number of other materials. Calcium chloride is sometimes used instead of rock salt; there could be chloride ions present if this is dissolved in water. Sodium sulfate, which can be naturally occurring, could be present. When looking at well water there is the possibility of either sodium or chloride from any number of different naturally occurring compounds. It is very difficult to say if there is high sodium, high chloride, or both that is actually coming from the road salt. One way to “narrow this down” is to look at the ratio of the chloride and sodium to see if that ratio holds up. Sodium atoms don’t weigh as much as chloride atoms. If you take the ratio of their weights and you apply that to each analysis that was done you can say more clearly that the ratio of the weight of sodium to the weight of chloride is close to what you would find in road salt and that could be where it is coming from. Mr. Tatsch said the chloride level is huge at 160 mg/L. Mr. Tatsch referred to the blue line on the chart indicating theoretical chloride which is 1/10th of what was actually analyzed. He explained that it is reasonable to conclude that the chloride that has shown up does not come from road salt as the ratios are not representative of road salt.

Mr. Tatsch referred to the results for 1 High Mowing Rd. where the actual chloride value (red line) is fairly close the blue bar, which is the theoretical chloride value based on the amount of sodium. Here you can say it is possible that the sodium and chloride that was tested for comes from road salt. A complicating factor in these analyses is that ordinary salt occurs naturally in rocks as many of the rocks were laid down in seas a hundred million years ago. The seawater has naturally occurring salt in it that ends up in the rock which will slowly leech out into the water. It is expected that small amounts of naturally occurring sodium will be in any well water. Even if the theoretical chloride is close in amount to the sodium chloride it doesn’t necessary mean it is all coming from the road, it could be naturally occurring. It is hard to say what it should be as it varies depending on the type of rock, generally it should be in the range of ten to forty or fifty parts per million, which is normal. The state maximum contaminate level for sodium is 250 parts per million, this amount is much higher than what has been seen in any of the samples.

Mr. Tatsch said, to summarize, there has not been a change in the analysis that is significant over the past decade, which is very good. Where we have seen occasional high levels of chloride they don’t correlate well with the sodium number so it is not a signature for road salt.

1. Hunterdon County Division of Public Health LINCS

a. 5-5-16 Public Health Advisory: Reducing the Number of Healthy Dogs Submitted to the New Jersey Department of Health Rabies Laboratory

Mr. Hamilton commented on the detailed rules for rabies quarantines.

B. Board of Health Budget Status as of May 5, 2016

Ms. Rosikiewicz said the budget is fine. The same number of septic permits has been issued this year as this time last year. There has been one less soil log test. There are eleven more food permits (28 verses 39). These items affect the budget lines for engineering and Hunterdon County Division of Health inspections.

C. Board Secretary's Report

There was no report.

CORRESPONDENCE

There were no comments on any correspondence.

BILLS OF THE EVENING

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

OPEN TO THE PUBLIC

Mr. Van Horn moved to close to the public. Mr. Wang-Iverson seconded the motion. All were in favor; the motion passed.

Mr. Hamilton asked the Board if they were considering putting information in the tax bill mailing. The Board briefly discussed this and agreed to submit a condensed version of what was put in the recycling newsletter. Mr. Hamilton will work with Mrs. Rosikiewicz on this.

ADJOURNMENT

Mr. Van Horn motioned to adjourn the meeting at 9:04 p.m. Mr. Tatsch seconded the motion. The motion carried unanimously.

Respectfully submitted,

Christine Rosikiewicz

Board Secretary