

The regular meeting of the Board of Health came to order at 7:30p.m. Present for this meeting were: Tony Berberabe, Tracy Carluccio, Les Hamilton, Tim Martin, Jim Rosso, Larry Tatsch and David Wang-Iverson. Ted Peyrek III was absent.

In compliance with the Open Public Meetings Act, this meeting was advertised as a regularly scheduled meeting in the January 29, 2009 issue of the Hunterdon County Democrat. Notice of the meeting was discussed with and sent to the applicants, filed with the Township Clerk, posted on the Township bulletin board and sent to the Hunterdon County Democrat and the Trenton Times on July 2, 2009.

ANNOUNCEMENTS/AGENDA REVIEW

Board of Health Secretary, Darlis Maksymovich stated that under item 5-A, County Inspector Dan Wyckoff could not attend the meeting and a copy of his report was before the Board.

PRESENTATION OF THE MINUTES

No minutes for the June 16, 2009 meeting as yet.

OPEN TO THE PUBLIC

There being no comments from the public, Mr. Wang-Iverson motioned to close the public comment portion of the meeting, seconded by Mr. Tatsch, and carried unanimously.

UNFINISHED AND NEW BUSINESS

1. Hunterdon County Department of Health Inspector Dan Wyckoff has a note in his report with regard to the MTBE cleanup in the vicinity of 202/31 and route 514/Old York Road at the Hess Station. Sampling results, from NJDEP, of the drinking water are ongoing and taken quarterly. The sampling point is the treatment site. There is a separate nitrate sampling report as well, which is required for all public non-community wells. This sampling is done quarterly and the sample was taken from the Dunkin Donuts site. Mr. Tatsch stated he did not see anything that struck him as particularly unusual in the reports. Discussion held with regard to nitrate report. The cleanup seems to be working. Mr. Wyckoff also noted in the report that there is no coliform bacteria in the quarterly test.
2. With regard to Owens, there is no status change since the last report for the cleanup of Old Woody's Gas Station.
3. All incomplete files are being monitored by the Hunterdon County Department of Health for approvals that were given and where no systems have been put in as yet.

PREVIEW COMMITTEE

1. Schlaugh, B 40.02, - L 7 Septic System Waiver Request

The two items listed on the agenda are the letter of June , from Hunterdon County Dept. of Health about the waivers that are needed, and a copy of the application for the permit.

Craig Patterson, of "Septics by Paterson" testified his company did multiple test pits around the lot eventually finding a good area with the pit bail. Under questioning Mr. Paterson stated that "TP" in his report stands for test pit. Mr. Paterson stated they found the area where they had successful pit bails. "One of the waivers is that the mottling was above 24 inches therefore you have a rather large mound. One of the other waivers is for the mound slope being less than 5:1." Otherwise the mound perimeter gets too close to the property line. This is a gravity system which works with the slope as it is. Another waiver is for the new septic tank being within 100 feet of the well. The reason for the location of the tank is: the further down slope and away from the well the tank is located, the more gravity feed is lost. Then a pump system would be required. Mr. Paterson stated that wetlands were found off of the back property line. A swale is noted. "Some upland wetlands were hit on the IMAF so we had a wetlands gentleman go out and take a look at it. He indicated that it is probably a transition zone in that area therefore we have to go down to the State to get the General Permit#25, which is basically the State allowing you to (for malfunctioning systems) put in an alteration within a transition zone." Mr. Wang-Iverson asked if the disposal field will be in the transition zone. Mr. Paterson said there is a possibility that the transitional zone is in that area so that is why they are applying for General Permit #25.

Mr. Paterson said currently the slope is 3:1, rather than the 5:1 minimum that the Board requires. 5:1 would have caused the mound to be very close to the property line. Mr. Wang-Iverson asked if the distance was on the map. Mr. Paterson responded "No, but it is 25 feet." Mr. Wang-Iverson said that information should be on map. Mr. Berberabe asked about the wetlands being added to the new map. Mr. Paterson said agreed. Ms. Carluccio stated that Mr. Paterson will have to map the wetlands when he gets his GP#25.

Board of Health approval would need to be conditioned on the applicant getting the GP#25. The Board should get a copy of the final wetlands map.

Ms. Carluccio asked "It is a repair of a malfunctioning system with no expansion correct?" Mr. Paterson said "Correct."

Ms. Carluccio said that an EPA water tightness test for the septic tank to be done in situ should be a condition for approval. Ms. Carluccio asked if there is 50 feet of casing on the well. It was agreed that there was not. Mr. Paterson said that he will add that note to the plan (with regard to the water tightness test.)

Mr. Wang-Iverson motioned that the Board approve the septic design with the waivers as indicated in the Dept. of Health letter with the additional requirements that a water tightness test is performed on the new tank and that the General Permit #25 is received from the State and that the Board receive an updated copy of the plat when that is done. Mr. Martin seconded the motion which carried by unanimous vote.

2. Scheffmeyer, B 21, L 19.05 - Septic System Alteration

Letter of June , from Hunterdon County Dept. of Health is in the file.

Steve Parker, from Parker Engineering which prepared the application for the septic system alteration, was present to testify. He stated, "This is a malfunctioning septic system. There is no expansion proposed. The number of bedrooms will remain the same." The ground water on the site is closer to the surface than 24 inches, which will require a waiver from the State. The design is

based on the most restrictive soil log, (which is ground water within 10 inches of the surface.) They are also requesting a waiver for a setback to the property line. They are proposing 10 feet to the mound of the system, 27 feet to the disposal field. The mound is very high based upon the depth of the ground water. They are still providing the 4 foot separation between the level of infiltration, which is the bottom of the stone in the field, and the highest ground water. The mound is 70 inches high on one side and 62 inches high on the other side. It is a pump system as well. The side slope of the mound is proposed at 5:1. Both pit-bail tests performed were successful, so they are comfortable with the permeability rates.

Mr. Wang-Iverson asked if it was possible to orient the field in a different direction so that the toe of the slope would be further away from the property line on the left. Mr. Parker said the property to the immediate left surrounds the Scheffmeyer property in the back as well. It is a flag stem which provides access to the property in the rear which is a farmland preserved lot. Ms. Carluccio asked "How wide is that flag stem?" Mr. Scheffmeyer identified himself and stated "100 feet."

Ms. Carluccio asked if there was a house on the other side of that 100 foot flag stem. Mr. Parker responded "Yes there is, on lot 19.04." The lot surrounding the Scheffmeyer property is in Farmland Preservation and there is nothing on that lot. Ms. Carluccio asked if the septic and well on 19.04 meets the required separation distances, and Mr. Parker responded that it did. Mr. Wang-Iverson asked if there is a house on 19.07 as well. Mr. Parker responded yes. Mr. Parker said that the plan meets all of the set-backs to the neighboring wells and septic systems.

Mr. Tatsch motioned for approval of this plan with approval of the two waivers as requested, Mr. Wang- Iverson seconded the motion, which passed by unanimous vote.

3. Conditions and Waivers: Mikulicz, B 6, L 2.06

This is a repair of a malfunctioning system with no expansion.

There are three items of correspondence: The application, a July 6, 2009 letter from the County, and a July 13 correspondence from R. Morris, Gladstone Design, about the application.

Mr. Morris from Gladstone Design identified himself for the record and thanked the Board for seeing him on such short notice. He stated Mr. Mikulicz was in the process of selling his house and had a septic test done on the existing system. Standing water was found in one of the trenches. Permeability was found in the back of the lot. There was one basin flood and three soil logs. There were 2 soil logs for the primary system, two for the reserve system and a basin flood in the middle of the two. The basin flood test emptied both times in less than an hour. Mr. Wang -Iverson asked if they were using soil logs 3 and 5 for the main area and 4 and 6 for the reserve. Mr. Morris responded "6 is being shared by both the primary and the reserve area. The logs three, two and one we hit refusal very quickly, within 40 some inches." The design plan was submitted to the County Health Department. It was reviewed and there were comments. They addressed all the comments except for the five that have to do with the Township's requirements that are above and beyond 7:9A.

Waiver #1: The slope of the mound will not be entirely at 5:1 slope. All sides can be at 5:1 except for the east side which is at 3:1. This was done to keep the bed at the 25 foot set-back.

Waiver #2: Twenty five foot set-back from the toe of the slope and the property line cannot be met due to the well and vegetative set-backs. The distance according to scale appears to be only about

20 feet. Mr. Wang-Iverson asked Mr. Morris to update the drawing to show the distance from the toe of the slope to the property line.

Waiver # 3: East Amwell requires two 1000 gallon tanks in series, or one 1500gallon, two compartment tank. They have proposed to keep the existing 1000 gallon tank for the three bedroom house, which is 250 gallons over the State requirement. The tank was tested and deemed water-tight in the report by Bayer-Risse of February 24, 2009. No one on the Board had copies of that report and Mr. Morris said he could provide copies to the Board. Mr. Morris said they propose to have the tank pumped, and make sure the baffles are still in place. They will have to add a 1000 gallon pump tank as well. The distance from the well to the pump tank is approximately 60 feet and this distance will be added to the drawing. The tank is about 32 years old. It was agreed that a two-compartment, 1500 gallon tank is required if the tank is not sound. The EPA water-tightness test must be done on the old tank, as well as the new pump tank after it is in place and on any other new tanks if the old tank is replaced. Mr. Morris said he would revise the note #15 on his plans to state that if the tank is compromised, it would be replaced with the two-compartment, 1500 gallon tank.

Waiver #4: The existing septic tank and proposed pump will not meet the 100 foot set-back requirement, as required by the Township, to the existing well. It is greater than the 50 foot set-back allowed by the State. It is at least 60 feet from the well. Mr. Morris agreed to indicate that distance on the map when it is revised.

Waiver #5: East Amwell requires three soil logs within 15 feet of the proposed disposal bed. The design shows three soil logs and a basin flood. The limited space of the lot did not allow further soil logs within the required distance.

Mr. Tatsch commended the applicant on providing the picture which helps show the layout of the lot, soil logs etc. Mr. Morris stated that there are no wells within 100 feet of the disposal system.

Ms. Carluccio stated there would be a few conditions besides the waivers being considered. A condition that would be attached to #3 would say that if the existing tank is found to be compromised it is to be replaced with a two compartment 1500 gallon tank. Also, add the separation distance on the map between the septic tank and the pump tank and the well and add a note, to the note that exists, that no wells are within the required separation distances on neighboring properties. Attached to # 4 would be the requirement to do the EPA Water Tightness Test on the existing tank, the new pump tank and if there is a new tank put in to replace the existing septic tank on that tank as well. Lastly, a note to be added: the 20 feet from the toe of the slope on the east side of the bed to the property line.

Mr. Tatsch motioned the approval of the system with the approval of waivers as noted and with the conditions as stated by the Chair, Les Hamilton seconded the motion which carried by unanimous vote.

ITEMS OF DISCUSSION

- A. Sourland Mountain Smart Growth/Amwell Municipal Stormwater Task Force/Wastewater Management Plan

The Sourland Mountains Smart Growth Phase II report calls for a Municipal Alliance or a committee of the municipalities and counties that are within the study area. This concept has been presented to the municipalities, and has been supported by East Amwell and the other municipalities have voted unanimously to approve the alliance. The last municipality for it to go to is Hopewell Township which should be next week. Once that is approved, the next step is to finalize the draft, and then it will eventually come around for a final vote.

The County recently reported that the State is still considering a postponement of the deadline for the Municipalities to have adopted the Ordinances.

B. Education and Health Issues

No comments were made with regard to the LINCS faxes received.

C. Budget Appropriation Account Summary 01/01/09-06/30/09

The status report for the Budget Appropriation Account looks good.

Ms. Carluccio commented the Hydro Geologist hired for a consult (with regard to the test where two wells are going to be used to meet the requirements of a home for new construction) did a few hours of work gratis, via e-mail. The Board members were very appreciative.

ADMINISTRATIVE OFFICER'S REPORT

Darlis Maksymovich addressed the Board to let them know she had tendered her resignation. Darlis has taken another position elsewhere. The Board wished her the very best and said she would be missed.

CORRESPONDENCE

No comments were made.

BILLS OF THE EVENING

Mr. Hamilton motioned to approve the bills of the evening, seconded by Mr. Martin and the motion carried with a unanimous vote.

Mr. Tatsch commented upon the TNR - "Trap-Neuter-Release" program stating that it seemed to be a good program. The Township Committee also received the information and they are looking to see what they can do to support it. There is a volunteer in the Township willing to promote it.

OPEN TO THE PUBLIC

There being no public, the motion was made by Mr. Hamilton to close the public session, seconded by Mr. Tatsch and carried unanimously.

ADJOURNMENT

Mr. Tatsch motioned, seconded by Mr. Martin to adjourn the meeting at 8:30 p.m. The motion carried unanimously.

Minutes transcribed from CD.

Respectfully submitted,

Carolyn Fritsch, Deputy Clerk