

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

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 October 15, 2009.

ANNOUNCEMENTS/AGENDA REVIEW

Nothing to announce at this time.

PRESENTATION OF THE MINUTES - September 15, 2009

Mr. Martin motioned to approve the September 15, 2009 minutes, seconded by Mr. Tatsch. Ms. Carluccio abstained. The motion carried by unanimous vote.

OPEN TO THE PUBLIC

Ms. Carluccio opened this portion of the meeting up to the public.

Stephanie Walker, 15 South Hill Road, identified herself for the record.

Ms. Walker stated there was damage done to the lateral lines of the septic system on her property when she had a deck installed. She is requesting a letter acknowledging the damage for submission to the installer's insurance company.

The County, acting as the Board of Health's agent, approved the application. The Board did not review the application for repair of the system because no waivers were needed. Discussion was held regarding the request and it was determined Ms. Walker should get a letter from her Engineer. The Board would also send a letter to the Walkers stating the County represents the Township, acting as our agent, reviewing applications and using their own engineers. The East Amwell Board of Health does not review the application unless a waiver is needed because of local regulations.

Mr. Tatsch motioned to close the public comment portion of the meeting, seconded by Mr. Wang-Iverson, and carried unanimously.

UNFINISHED AND NEW BUSINESS

A. Hunterdon County Inspector's Report

1. OWENS AKA WOODY'S - B 16, L 11 - 202 OLD YORK ROAD

The information received from the remediation company is in compliance with the NJDEP Municipality Alert Program. Both the Municipality and neighbors must be notified regarding the remediation. As far as the progress of the remediation, there is no further update at this time.

2. MTBE HESS GAS STATION - 2nd QUARTER TEST RESULTS -

Mr. Wyckoff provided documentation to the Board. The analysis was done on May 28, 2009. This information will be discussed at the next meeting.

3. 542 SPRING HILL ROAD - COMPLAINT # C082109

The inspector has been out to the site. The owner of the property has been out of the country. The water does look suspect and gray in color. The inspector is still working on this issue.

B. Preview Committee

1. MORRISON, B 25, L 19, SEPTIC SYSTEM ALTERATION –PROPOSED PEAT SYSTEM

Engineer Doug Fine of ACT Engineering identified himself for the record.

Ms. Carluccio asked Mr. Fine to address the issue of why a Peat System is needed for this property. The system being proposed is one that is approved by DEP and is included in the guidance document as being allowed.

Mr. Fine stated the property is 100 feet deep and 174 feet in width with an existing seepage pit system that has a lateral that was deemed “failed”. There is also a problem with the existing well. The house is under contract to be sold. A new well has to be drilled. The neighboring well is about 10 feet off the property line to the west. The limited property area, and setback requirement from the neighboring well, makes the optimum placement of a disposal field in the area where the house, driveway, existing septic tanks and drainage pit already exist. Based on that, and the permeability tests, Mr. Fine said it was determined a conventionally sized disposal field will not fit on the property. The ground water table is about 40 inches below the ground surface. If a conventionally sized system was placed on the property, the mound would be about 3 feet high (which is 2 ½ - 3 feet higher) and about 9 feet longer than the proposed peat system and would not fit with the grading. The proposed peat system is a pressure dosing disposal field with size reduction and mound height reduction taken from the peat moss guide document, and has no proposed expansion.

Two possible well locations are noted on the plan: Possible well “A” and possible well “B”. Well “A” is 27 feet from the proposed pump tank and would be drilled 5 feet off the property line. Well “B” is 94 feet from the proposed septic tank which exceeds the minimum distance required by the State, but possible well “B” does not meet East Amwell’s required 100 foot separation distance between wells. A waiver would need to be considered.

The proposed septic field location meets the minimum 100 feet radius distance from the neighbor’s well.

Tom Stover of Stover’s Wells and Pumps identified himself for the record.

He will be the well driller on this property. Mr. Stover said he does not foresee a problem with getting water in either of the possible well locations.

Ms. Carluccio stated if well “B” was drilled, it would not violate the State Code, but it does violate the Township’s water supply Ordinance, and would require a waiver.

Mr. Stover stated 100 feet of casing would be needed because the possible well “B” is only 65 feet from the proposed bed. Mr. Tatsch noted that the possible well “A” location was not only close to the tanks on site, but also to the neighbor’s septic system and felt possible well “B” was a better choice. The new well will need to be certified.

Discussion was held regarding the abandonment of the existing tank. It was determined that the existing tank will be crushed, moved and buried 100 feet from all wells.

Ms. Carluccio reviewed the September 16, 2009 letter from B. Vaccarella of the Hunterdon County Health Department regarding waivers and conditions for the proposed Peat system for B 25, L 19, with the Board. Three other waivers/conditions were discussed as well.

1. The Ecoflo 650 peat system is allowed and accepted by the Board.
2. A deed restriction will be placed on the property indicating annual maintenance of the system.
3. Proof of a maintenance contract and reports on the monitoring shall be provided to the Board and the County.
4. The maintenance agreement shall be provided to the owner and kept in the house.
5. The plans are to state that this is an alteration to a malfunctioning system and in granting the waivers or approval of the alternative technology, East Amwell Township and Hunterdon County Department of Health assumes no responsibility for the system and shall be held harmless.
6. The design engineer and manufacturer shall inspect the system and provide certification to the Board and County.
7. A copy of the design is to be provided to DEP for their files, and notice shall be provided to the DEP one week prior to construction.
8. The contractor installing the system shall be trained and certified by the manufacturer, and a copy of the certification must be provided to Hunterdon County Board of Health.
9. There must be an auto dialer for the system. The manufacturer will be installing a new panel to incorporate this and provide certification to Hunterdon County Board of Health.
10. A water tightness test shall be conducted on the septic and pump tanks in situ.
11. The design is based on a 16-30 minute percolation rate which is 1.704 gpd using the DEP guidance document, and not on East Amwell's standard requirement of 2.08 gpd.
12. The existing well on the property will be sealed and abandoned by a licensed well driller according to the State Code. The new well will have a minimum of 100 feet of casing in the well.
13. The proposed septic and pump tanks will be less than the 100 foot requirement set by East Amwell Township.
14. The proposed disposal bed will be only 15.57 feet from the dwelling and not the required 25 foot setback.
15. The proposed disposal bed will be only 12 feet from the edge of the pavement and not the 25 foot setback from the property line required by East Amwell Board of Health.
16. The slope of the mound on the south side of the property has only a 3:1 slope and not the required 5:1 slope required by the Board.
17. A condition for approval will be that the engineer provides a new sheet #2 with all distances from the new well and occupied dwelling to all of the components of the new Peat system.

18. If proposed well "B" is used, a waiver of the distance requirements between wells would be needed.
19. A distance of 5 feet will be maintained from the tank to the deck.

Mr. Tatsch moved the approval of the Peat system with all the waivers and conditions as noted by the Board Chair and with the inclusion of East Amwell's 17 point requirements for Peat systems, seconded by Mr. Peyrek. The motion carried on a vote of all ayes, nays none.

Mr. Fine asked for clarification of the Board's protocol for getting on the agenda of a meeting. Ms. Carluccio stated all information must be submitted 10 business days prior to the meeting. This includes the plan, application, and letter from the County. Mr. Stover asked if he could please notify the Board of Health Administrator first regarding witnessing. The Administrator would then send an e-mail out to the witness asking if the date was OK. It was agreed that this would be appropriate.

2. SCIALLA, B 40, L 1, SEPTIC SYSTEM ALTERATION

Engineer Ted Bayer from Bayer-Risse Engineering identified himself for the record. The property is in the mountain preservation district and located on the southeast corner of Mountain Road and Linvale Rd. The property is 3 acres with an existing 4 bedroom dwelling. The well is located to the rear of the property. The existing septic system is comprised of a 1000 gallon septic tank and a malfunctioning disposal field that is located in front of the house. Five exploratory soil testing holes were done around the perimeter of the property. Hole #1 had refusal at 55 inches, #2, refusal at 57 inches, # 3, refusal at 60 inches, #4, 48 inches, #5, 60 inches. No seepage initially, but after 6 hours there was a couple of inches accumulated in the first two holes. Due to soil and lot limitations the remaining area available for soil logs and a pit bailing test was between the house and the existing field. Because the tests were done in August, there was not a lot of ground water available. The system is oversized at 2.56 square feet per gallon per day (an oversize rate of 23%) because the second pit bailing test was not done. It a pressure dosed mounded soil replacement system with no expansion and is compliant with both the State Code and the East Amwell Township Code with the exception of the 23% over design.

The two waivers that are needed:

1. The use of only one passing pit bail test instead of two.
2. The use of only three soil logs instead of the required four.

Mr. Martin motioned to approve the septic design as presented, and grant the two waivers as noted, seconded by Mr. Tatsch. The motion carried unanimously.

C. 2010 Budget Discussion

Discussion was held regarding the existing budget, the monies spent in 2009 and areas where a possible reduction in the budget could be made. There will be further discussion at the November meeting.

D. Ordinance Committee Report

Ms. Carluccio stated the Wastewater Management Plan, under the new water quality management plan rules passed by the State, needs to be updated. Three ordinances are to be introduced before the end of the year. Two of these, the Steep Slope Ordinance and the Riparian Corridor Ordinance, will be reviewed by the Planning Board.

The third is a Septic Management Ordinance, which requires that there be homeowner awareness of what is in the ground. A use fee will be paid for a permit, and there must be a pump-out of the individual's septic tank at a designated interval. Discussion was held regarding this issue. The general consensus of the Board was concern that this proposed ordinance from the State was an unfunded mandate, and although pumping a septic system is a recommended preventative measure, the act of doing so should not be legislated.

ITEMS OF DISCUSSIONA. Education and Health Issues

No comments

B. Administrative Officer's Report

Rabies Clinic: January 23, 2010, 1-4 p.m. Vet fee \$100.00 per hour.

C. Board of Health Attorney Contract

Attorney, Fred Allen, will no longer be able to be the Attorney for the East Amwell Board of Health. Interviews are to be conducted for a new Attorney. Larry Tatsch and Tracy Carluccio volunteered to be on an Ad-Hoc Committee.

Carolyn Fritsch will research attorneys in other municipalities and will talk with Tim Matheny regarding shared services.

CORRESPONDENCE

Discussion was held about the 10/5/09 letter submitted by Steve and Joyce George regarding the Incomplete File Notice received by them from Hunterdon County. Four inspections were made by the County and the system has been working for four years without incident.

Mr. Hamilton moved to forward a copy of the George's letter to the County with a cover memo stating that in this situation it does not seem appropriate to request the George's have their septic field dug up so the Engineer can sign off on it. Four inspections were made by the County and the system has been working for four years without incident. Mr. Tatsch seconded the motion and it carried by a unanimous vote.

Mr. Tatsch stated an analysis report of September 4, 2009 was received from Garden State Laboratories. A high standard plate count was detected in the Municipal Building. Immediate replacement of the UV lamp is recommended.

BILLS OF THE EVENING

Hopewell Valley Engineering – Soil Witnessing, - B 40, L 1, and B 8, L 8, - \$1,790.00

Bayer-Risse Engineering -	Unused witness fees, B 30, L 16, -	\$200.00
Bayer-Risse Engineering -	Unused witness fees, B 40, L 1, -	\$360.00
Uhl, Hydrogeologist -	Professional Services, B 40.03, L 16.02, -	\$440.00
Hopewell Valley Engineering -	Soil Witnessing, - B 30, L 16, and B 8, L 8, -	\$740.00

Mr. Hamilton motioned to approve the bills of the evening, seconded by Mr. Tatsch. The motion carried unanimously.

OPEN TO THE PUBLIC

Frances Gavigan, 123 Wertsville Road was present and identified herself for the record. Ms. Gavigan suggested to the Board that perhaps the Men’s Room sink, where the water analysis for the Municipal building was taken from, is a “dead leg” or end of the line. She also commented that regarding the UV bulb, it is important not to touch the bulb itself when installing. With regard to the need for a new Board of Health Attorney, Ms. Gavigan stated there is competitive pressure in this economy, and recommended considering a wider pool of perspective attorneys. Ms. Gavigan informed the Board about an article that there was a high lead count in the East Amwell School that was detected in the Staff member area. Lastly, Ms. Gavigan urged the Board to “think outside the box”. Maybe someone could up with alternative ways of minimizing the load on aging septic fields in the area.

Mr. Hamilton moved to close the public session seconded by Mr. Martin and carried unanimously.

Mr. Hamilton had a question about the water quality test for the Ringoes Country Deli. Ms. Fritsch will follow up with the County with regard to the water quality report.

ADJOURNMENT

Mr. Tatsch motioned, seconded by Mr. Peyrek to adjourn the meeting at 9:48 p.m. The motion carried unanimously.

Respectfully submitted,

Carolyn Fritsch, Deputy Clerk