

1. BOH 5-26-2020 Epacket

Documents:

BOH AGENDA 5-26-20.PDF
BOH MINUTES 4-28-2020 DRAFT.TC DOCX.PDF
ORDINANCE 20-01 CHAPTER 149 - 2ND LEGAL NOTICE 5.11.20.PDF
NICHOLSON SOIL REFUND PO SIGNED 5-2020.PDF
RANFT SOIL REFUND PO SIGNED 5-2020.PDF

**East Amwell Township
Board of Health Meeting Agenda
May 26, 2020 - 7:30 PM**

1. Statement of Compliance

2. Roll Call/Announcements/Agenda Review

3. Presentation of Minutes – April 28, 2020

4. Open to the Public – Limited to 15 minutes for items not listed on the agenda

5. Unfinished and New Business

A. Hunterdon County Division of Public Health Inspector's Report

1. Speedway Corp. Monitoring Wells
2. NOV Harry Britton 6/30/19 – 6 Zion Rd, Block 36 Lot 4
3. NOV Lillian Thompson 7/16/19 – 27 Wertsville Rd, Block 16 Lot 35

B. Preview Committee

1. Ranft, 148 Cider Mill Rd, Block 20 Lot 17.01 – Septic Application

6. Items of Discussion

A. Education and Health Issues

B. Board Secretary's Report

7. Correspondence

8. Public Hearing

ORDINANCE 20-01BH AN ORDINANCE AMENDING CHAPTER 149 BOARD OF HEALTH FEES, ARTICLE 1 – WITNESSING WELL TESTS AND FIELD WORK, SECTION 149-1 FEE SCHEDULE (E)

- 1) Proof of Publication
- 2) Public Hearing
- 3) Action on Ordinance

9. Bills of the Evening

Informational Only

- | | |
|---|----------|
| A. Benjamin Nicolson, Block 36 Lot 13, Septic Witness Reimbursement | \$ 60.00 |
| B. Linda Ranft, Block 20 Lot 17.01, Septic Witness Reimbursement | \$360.00 |

10. Open to the Public

11. Adjournment

cc: Township Website and Bulletin Board; Hunterdon County Democrat

First, you can join the meeting by video through your laptop or smart phone using the following link: <https://zoom.us/j/7106754155>.

For more information regarding Zoom, go to <https://zoom.us/> and click on the "Support" link.

Second, you can join the meeting by conference call by dialing 1.646.558.8656, and entering as the meeting ID number 710 675 4155 and the # sign.

EAST AMWELL BOARD OF HEALTH MINUTES

**7:30 p.m. <http://Zoom.us/j/7106754155> and 646-558-8656 ID 710 675 4155 - DRAFT
March Regular Meeting postponed to April 28, 2020**

Statement of Compliance

The regular meeting of the East Amwell Board of Health was opened on April 14, 2020 at 7:30 PM. The following notice was read, “In compliance with the Open Public Meetings Act, this meeting was advertised in the December 12, 2019 issue of the Hunterdon County Democrat and a revised notice with the location change to a virtual Zoom meeting in accordance with the open public meetings act was advertised on April 23, 2020. Notice of this meeting was posted on the Township website and bulletin board, and sent to the Hunterdon County Democrat.”

Present: Tracy Carluccio
Larry Tatsch
Pauline Serafin
Janis Grover
Leonardo DeCandia, Alt. 1
Chris Sobieski
Tara Ramsey arrived 7:45 p.m.

Absent: Jennifer O’Sullivan - Hunterdon County Division of Public Health

Agenda Review – no items.

Presentation of Minutes –

February 25, 2020 **A motion by Mr. Sobieski seconded by Ms. Tatsch, to approve minutes with minor edits was carried with no objections or abstentions.**

April 14, 2020 **A motion by Mr. Tatsch seconded by Mr. Sobieski, to approve minutes with minor edits was carried with no objections or abstentions.**

Open to the Public –

With no members of the public coming forward a **motion by Mr. Tatsch, seconded by Ms. Serafin, to close to the public was unanimously carried with no objections or abstentions.**

Unfinished and New Business

Hunterdon County Division of Public Health Inspector’s Report

Ms. Georgett said that Ms. O’Sullivan was unable to attend the meeting and no report had been submitted.

Unfinished Business –

Preview Committee

Kevin Beck, 53 John Ringo Road, Block 36 Lot 13 Septic Application

Mr. Doug Fine of Fine Engineering introduced himself as the professional engineer for this septic application. Ms. Carluccio said this is an existing two bedroom home with no expansion. Mr. Fine said the existing cesspool is approximately 15 feet from the well on a very small lot in Ringoes. He continued that they did some permeability testing to find a spot for the system and were able to complete two soil logs and a pit bail test because there was no more room on the lot. Mr. Fine said a Hoot pressure dose aerobic system is recommended to minimize the footprint of the septic system disposal field. Mr. Fine said he designed a system that is oversized by approximately 44% using New Jersey State sizing criteria but it is still less than East Amwell Ordinance requirements for distances to property lines and the well which is in the center of the property. Ms. Carluccio asked what the acreage of the lot is, and Mr. Tatsch said he calculated the footage at around one quarter acre. Ms. Carluccio asked why an ATU is being used, and Mr. Fine said because there will be cleaner effluent coming from the system and also it allows for a reduction in the size and height of the septic system disposal field. He continued that because the system is only 58 feet from the well, they want the discharge to be as clean as possible.

Ms. Carluccio asked why the system could not be further from the property line, and Mr. Fine said from the rear property line it moves the system closer to the well and from the side it moves closer to the garage and driveway. He said the 10 foot distance to the property line required by New Jersey State code has been met. Ms. Carluccio said neither the Hoot nor pump tank meets the distance requirement of 100 feet, and Mr. Fine said this was due to property size constraints. Ms. Carluccio asked what the mount height is, and Mr. Fine continued that it is only 6 inches. Ms. Carluccio said that the septic line will only be 9 feet from the existing well and this is concerning because if there is a leak, which could happen and particularly with the line running under the driveway, effluent could reach the well pretty quickly. Mr. Sobieski said two ideas discussed in preview committee were to move the line to the right side of the house or hugging the left side of the property to get further away from the well and asked Mr. Fine to explain his design choices. Mr. Fine said they went into the basement where there is an old stone foundation, which would make it very difficult to relocate the line internally. They also considered these other options but the proposed location around the apron of the driveway where there will be primarily parked cars versus cars driving back and forth, is the least likely location for the line to break.

Mr. DeCandia asked if the well has a casing, and Mr. Fine said they were unable to get this information, it is old, there is a cesspool within 15 feet and everything in the design is an improvement over the current situation. Ms. Carluccio asked if the sleeve over the septic pipe that is under the driveway can be expanded to cover the entire pipe, and Mr. Fine agreed that was a good suggestion. Mr. Tatsch asked if the sleeve is a rigid PVC pipe, and Mr. Fine said it is a 4 inch, schedule 40 which is the next size up PVC pipe that will be wrapped in stone for minimal wiggle room. Ms. Carluccio asked how deep the line is, and Mr. Fine said normally its 2 inches deep but it has been raised to just below grade at the house and is pitched downward the entire 59 foot distance to the tank.

Ms. Carluccio said without evidence of required casing on the well, installation of an ultra violet system on the well and a coliform test after installation are required. She continued by asking how many feet from the septic field is the soil log located toward the front of the property. Mr. Fine said from the center of the soil test it is 8 feet to the septic field which meets the

requirement to be less than 15 feet. Ms. Carluccio said the map indicates there is contradicting information regarding wells on adjoining properties, and Mr. Fine said to strike note #2 on the plot plan and that they don't know the location of the wells on those properties. He continued that the neighbors did not know the location and it is highly unlikely those well are further than 100 feet away. Mr. Tatsch suggested a waiver for distance to neighboring wells be added because there is nothing that can be done to meet the requirement for this exiting property. He continued that this system is superior to the existing cesspool and conditions would be improved. Ms. Carluccio agreed this waiver should be added stating the distance of the proposed ATU system to neighboring wells is unknown and was unable to be obtained, and the size of the lot precludes other options for placement of the system, which is far superior to the existing cesspool.

Mr. Fine said it could also be added that the tanks are being tested for water tightness and will replace the existing cesspool. It is also noted that the existing cesspool is being replaced by a system that is far superior. Mr. Tatsch asked that on the plot map note #2 be changed to indicate that although attempted, the location of neighboring wells could not be obtained.

A motion by Mr. Tatsch, seconded by Ms. Serafin to approve the Septic System with nine waivers, three conditions (UV system/coliform test, full sleeve on pipe & change map note #2 on sheet 2) and all requirements for an ATU was carried with no objections or abstentions.

Items of Discussion

Laura Berger, Burd Lane, Block 36 Lot 13

Ms. Carluccio said that she and Ms. Berger have spoken several times and that Ms. Berger is trying to sell the property and has a prospective buyer. She continued that due to the age of the soil testing, Ms. Berger had new soil testing done but back in 2000 a well was drilled on the property which gets 14 gallons per minute which is unusually good for the Mountain District. Ms. Carluccio said when the recent soil testing was done, Walt Wolf said it didn't look like there was 200 feet from the well to where testing was being performed and may not meet the East Amwell separation distance requirement. Ms. Carluccio recommended that Ms. Berger engage a professional to determine the location of and distances to the well on property as well as neighboring wells. She also explained that a professional would also be able to help Ms. Berger learn of other requirements that need to be met before making further investments and presenting a formal design to the Board. Ms. Laura Loreco Berger introduced herself and said her family has been in East Amwell since 1948. She said those who want to buy the property are also residents, and that the percolation test went well. Ms. Carluccio asked what the distance is from the well to the property line, and Ms. Berger said they are waiting to get confirmed data from the engineer but it's probably less than 200 feet.

Ms. Carluccio said there is not an existing house on this property, and as the Board is aware, a waiver has not been given for a new construction regarding separation distances between the septic system/field and the well since the Ordinance was adopted in 1995. She continued that Ms. Berger was advised of this when invited to come speak with the Board, and invited questions from Board members. Ms. Berger said what would be the reason not to give a waiver for this,

and Ms. Carluccio said there are provisions in the Ordinance for waivers where there is an existing house on a property and described several scenarios when waivers have been approved in those situation. She continued that one remedy in the past was that the property owner drill a new well that would meet separation distances requirements. Ms. Berger said that this lot has been identified for building a home for many years and financial constraints prevented this being done earlier. She continued that there is now a buyer ready to build a house and move in but the only thing stopping this is needing this waiver.

Mr. Tatsch asked where is existing well located on the property, and Ms. Berger said in the middle of the property which is around 160 feet away. Mr. Ben Nicolson introduced himself as the potential buyer of the property. Mr. Tatsch asked if they know why the well was placed in the middle and Mr. Nicolson explained that previously a home was going to be built on the left side of the property around 150 feet from the road and 50 feet from the next property line. Mr. Tatsch said the Ordinance was in place when the well was drilled without considering the required separation distance. Ms. Carluccio said the Ordinance and separation distance requirement was in place for 15 years when the well was drilled, and whomever was in charge should have been away of this. She asked if either Ms. Berger or Mr. Nicolson knows whether the separation distance can be met if the well is moved toward the front of the property. Mr. Nicolson said the lot is fairly small and even if the well is furthest from where the septic would be, the possibility of meeting the requirement is slim. Ms. Carluccio asked if they had a professional measure these distances and Mr. Nicolson said he is waiting for the final soil tests. Mr. Nicolson continued that even if a new well were drilled he doesn't believe that the separation distance could be achieved for a primary and secondary location on the property.

There was discussion regarding the need to obtain information from an engineer regarding other options for placement of a well that would then allow the required separation distance. Ms. Berger said that a relative owns an adjacent property and could that be attached to allow the distance required without losing the "grandfather" status of this nonconforming lot size. Ms. Carluccio said land use questions would need to be addressed by the Zoning Officer, and not the Board of Health. Mr. Nicolson said he spoke with the Zoning Officer and was told that if lots were combined, it would be considered a new deed and no longer be grandfathered. There was further discussion regarding an old building plan and related soil tests from 1979 when Ms. Berger's brother owned the property, and that plan was not approved by the County. Ms. Carluccio said she had informed Ms. Berger when they spoke around 5 years ago that the State Code had changed since then, and a new plan would need to be determined. Ms. Berger confirmed that there are no wells on adjoining properties within 200 feet of the proposed septic system and well. Ms. Carluccio said that would need to be certified by an engineer and the Board needs to know if there is a remedy that gets 200 feet separation distance from a well and the proposed septic field area. She continued that Ms. Berger could have an engineer send a letter with the distances measured out and the Board would consider next steps which could include them attending a Board meeting to request a waiver or drill a new well that meets the distance.

Ms. Carluccio thanked Ms. Berger and Mr. Nicolson for attending.

Education and Health Issues

Board Secretary's Report:

Ms. Georgett asked Ms. Carluccio to share the results of her research regarding Board of Health Ordinances including that Ms. Parsons had agreed the Board had been properly adopting Ordinances. Ms. Carluccio said that the Board Attorney Tara St. Anglo researched the fee Ordinance and confirmed that since 1990 the Board of Health has been approving Ordinances. She continued that at the same time Ms. Parsons had done additional research and found that the Township had adopted an enabling statute stating the Board of Health does indeed have Ordinance and regulatory powers and does not have to go to the Township Committee for approval of its ordinances. Ms. Carluccio said this has been settled and was just a misunderstanding.

Correspondence: There were no comments.

Bills of the Evening:

A motion by Mr. Tatsch, seconded by Ms. Serafin, to approve three bills was unanimously carried with no objections or abstentions.

Open to the Public:

Seeing no members of the public present, **a motion by Mr. Sobieski, seconded by Mr. Tatsch, to close to the public was unanimously carried with no objections or abstentions.**

Adjournment:

There being no further business, **a motion by Mr. Sobieski, and seconded by Mr. Tatsch, to adjourn the meeting at 8:30 p.m. was unanimously carried with no objections or abstentions.**

Rosemary Georgett, Board of Health Secretary

**TOWNSHIP OF EAST AMWELL
ORDINANCE 20-01BH**

AN ORDINANCE AMENDING THE BOARD OF HEALTH CHAPTER 149 ENTITLED
“FEES” OF THE CODE OF THE TOWNSHIP OF EAST AMWELL TO CHANGE THE
AMOUNT CHARGED FOR WITNESS SERVICES FOR FIELD WORK.

The Public Hearing is set for the next regular Board of Health meeting on May 26, 2020 at 7:30 PM. As advertised on April 2, 2020, this is a virtual meeting only and will be held using Zoom technology. The meeting invitation to join via device/computer or by telephone are below and will be posted to the Eastamwelltownship.com ->Government -> Board of Health.

Topic: Board of Health Meeting, May 26, 2020 7:30 p.m.
Join Zoom Meeting: (click link or cut & paste into your browser)
<https://us02web.zoom.us/j/7106754155>

Meeting ID: 710 675 4155
One tap mobile
+16465588656,,7106754155# US (New York)
+13126266799,,7106754155# US (Chicago)

Dial by your location
+1 646 558 8656 US (New York)

Meeting ID: 710 675 4155

Comments limit to no more than 450 words will be accepted during the public hearing and can be submitted in writing, no later than 12:00 noon on Tuesday May 26, 2020 as follows:

- **By email to rgeorgett@eastamwelltownship.com**
- **By letter delivered to East Amwell Township, R. Georgett, Board of Health Secy, 1070 Route 31/202, Ringoes, NJ 08551 via regular mail or placed in the deposit box outside the Municipal Building front door.**

Hunterdon County Democrat: May 14, 2020

TOWNSHIP OF EAST AMWELL

1070 ROUTE 202/31
 RINGOES, NJ 08551
 TEL (908)782-8536 EXT 16 FAX (908)782-1967

<p>VENDOR # : NICOLSON</p> <p>Benjamin Nicolson 41 Gallo Ct Lawrenceville, NJ 08648</p>	<p>R O D N E V I S I T O R</p>
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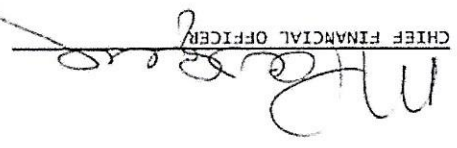
PURCHASE ORDER	THIS NUMBER MUST APPEAR ON ALL INVOICES, PACKING LISTS, CORRESPONDENCE, ETC.
NO. 20-00373	

ORDER DATE: 05/07/20
REQUISITION NO.:
DELIVERY DATE:
STATE CONTRACT:
ACCOUNT NUM:

PAYMENT RECORD	CHECK NO.
	DATE PAID

NOTICE: TAX ID #22-6001758 - TAX EXEMPT

QTY/UNIT	DESCRIPTION	ACCOUNT NO.	UNIT PRICE	TOTAL COST
1.00	Soil Log witnessing Refund Unused Fees	0-01-27-330-297-001	60.0000	60.00
	Refund Unused Fees			
	Paid \$1000			
	Used \$940			
	Refund \$60			
	Block 36 Lot 13			
	PLEASE SIGN and RETURN PURCHASE ORDER			
			TOTAL	60.00

<p>CLAIMANT'S CERTIFICATION & DECLARATION</p> <p>I do solemnly declare and certify under penalties of the law that the within bill is correct in all its particulars; that the articles have been furnished or services rendered as stated therein; that no bonus has been given or received by any person or persons within the knowledge of this claimant in connection with the above claim; that the amount therein stated is justly due and owing; and that the amount charged is a reasonable one.</p> <p style="text-align: right;">X</p>	<p>OFFICER'S CERTIFICATION</p> <p>I, having knowledge of the facts, certify that the materials and supplies have been received or the services rendered; said certification being based on signed delivery slips or other reasonable procedures.</p> <p style="text-align: right;"> DEPT. HEAD <i>R. Morgan</i> DATE 5/22/20 </p>	<p>VENDOR SIGN HERE</p> <p>MAIL VOUCHER & ITEMIZED BILLS TO: TOWNSHIP OF EAST AMWELL 1070 ROUTE 202/31 RINGOES, NJ 08551</p> <p>TAX ID NO. OR SOCIAL SECURITY NO.</p>
<p>APPROVAL TO PURCHASE</p> <p>DO NOT ACCEPT THIS ORDER UNLESS IT IS SIGNED BELOW.</p> <p style="text-align: center;">  CHIEF FINANCIAL OFFICER </p> <p style="text-align: center;">_____ AUTHORIZED SIGNATURE</p>		

PURCHASE ORDER	
THIS NUMBER MUST APPEAR ON ALL INVOICES, PACKING LISTS, CORRESPONDENCE, ETC.	
NO.	20-00401

ORDER DATE: 05/21/20
 REQUISITION NO:
 DELIVERY DATE:
 STATE CONTRACT:
 ACCOUNT NUM:

PAYMENT RECORD	
CHECK NO.	
DATE PAID	

NOTICE: TAX ID #22-6001758 - TAX EXEMPT

SHIP TO	
ORDER	
VENDOR	VENDOR #: RANFT Linda Ranft 148 Cider Mill Rd Flemington, NJ 08822

QTY/UNIT	DESCRIPTION	ACCOUNT NO.	UNIT PRICE	TOTAL COST
1.00	Soil witnessing	0-01-27-330-297-001	360.0000	360.00
	Refund unused fees			
	Paid \$1000			
	Used \$640			
	Refund \$360			
	Block 20			
	Lot 17.10			
	TOTAL			360.00

CLAIMANT'S CERTIFICATION & DECLARATION		OFFICER'S CERTIFICATION		APPROVAL TO PURCHASE	
I, having knowledge of the facts, certify that the materials and supplies have been received or the services rendered; said certification being based on signed delivery slips or other reasonable procedures.		DEPT. HEAD DATE 5/22/20		CHIEF FINANCIAL OFFICER AUTHORIZED SIGNATURE	
do solemnly declare and certify under penalties of perjury that the within bill is correct in all particulars; that the articles have been furnished or services rendered as stated therein; that no bonus has been given or received by any person or persons within the knowledge of this claimant in connection with the above claim; that the amount therein stated is justly due and owing; and that the amount charged is a reasonable one.		VENDOR MUST SIGN CERTIFICATION STATEMENT ON THIS VOUCHER. MAIL VOUCHER & ITEMIZED BILLS TO: TOWNSHIP OF EAST AMWELL 1070 ROUTE 202/31 RINGOES, NJ 08551		DO NOT ACCEPT THIS ORDER UNLESS IT IS SIGNED BELOW.	
TAX ID NO. OR SOCIAL SECURITY NO.		OFFICIAL POSITION		DATE	
VENDOR SIGN HERE		DATE		DATE	