

EAST AMWELL BOARD OF HEALTH MINUTES
7:30 PM East Amwell Municipal Building
January 21, 2020 – Reorganization Meeting

Statement of Compliance

The reorganization meeting of the East Amwell Board of Health was opened on January 21, 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. Notice of this meeting was forwarded to the Township Clerk’s office, posted on the Township bulletin board, and sent to the Hunterdon County Democrat on January 14, 2020.”

Roll call was held by Ms. Georgett

Present: Tracy Carluccio
Larry Tatsch
Pauline Serafin
Janis Grover
Leo DeCandia, Alt 1
Chris Sobieski

Excused: Tara Ramsey
Jennifer O’Sullivan – *Hunterdon County Div. of Public Health*

Annual Reorganization

Board of Health Secretary Rosemary Georgett asked for nominations for the Board’s Chair. A motion was made by Mr. Tatsch and seconded by Ms. Serafin nominating Tracy Carluccio as the Board’s Chair. Hearing no other nomination, a motion was made by Mr. Sobieski, and seconded by Ms. Grover to close the nominations. The motion was unanimously carried with no objection or abstention. The Board congratulated Chairwoman Carluccio.

The Secretary asked for nominations for the Board’s Vice Chair position. A motion was made by Mr. Sobieski and seconded by Mr. Tatsch nominating Pauline Serafin as the Board’s Vice Chair. Hearing no other nomination, a motion was made by Mr. Tatsch and seconded by Mr. Sobieski to close the nominations. The motion was unanimously carried with no objection or abstention.

The Secretary asked for nominations for the Board’s Secretary and noted this was a Board Member position. A motion was made by Ms. Serafin and seconded by Mr. Sobieski nominating Ms. Grover as the Board’s Secretary. Hearing no other nomination, a motion was made by Mr. Tatsch and seconded by Mr. Sobieski to close the nominations. The motion was unanimously carried with no objection or abstention.

The Secretary asked for nominations for the Board’s well witness. A motion was made by Ms. Serafin and seconded by Ms. Grover nominating Larry Tatsch as the Board of Health’s well test witness. The motion was unanimously carried with no objection or abstention.

Ms. Georgett informed the Board that in February of 2019 Pam Dymek was appointed as the Local Registrar of Vital Statistics for a three-year term.

Subcommittee Appointments

A motion was made by Mr. Tatsch and seconded by Ms. Serafin to open subcommittee appointments for Preview Committee and Ms. Carluccio described the responsibilities of each committee. Volunteers stepped forward for Preview committee as follows, and there was discussion that should Ms. Ramsey be interested membership will be reviewed at such time.

Preview Committee: Tracy Carluccio, Pauline Serafin, Chris Sobieski

A motion was made by Mr. Tatsch seconded by Mr. Sobieski to confirm Preview Committee members named above for 2020. The motion was unanimously carried with no objection or abstention.

Education/Health Committee: Larry Tatsch
Groundwater Monitoring: Leo DeCandia, Larry Tatsch
Ordinance Committee: Chris Sobieski, Leo DeCandia, Tracy Carluccio

2020 Meeting Schedule

A motion by Mr. Tatsch seconded by Ms. Serafin to approve the Board’s 2020 meeting schedule was unanimously approved with no objection or abstention. It was noted that the Board of Health will meet the fourth Tuesday of each month at 7:30 PM.

Approval of Professionals Contracts

Professional Contract for Board Attorney

A motion was made by Mr. Tatsch and seconded by Ms. Serafin to approve the Gebhardt & Kiefer Professional Contract. The motion was unanimously carried with no objection or abstention.

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**TOWNSHIP OF EAST AMWELL
HUNTERDON COUNTY, NEW JERSEY
RESOLUTION 01-20
RESOLUTION APPOINTING BOARD OF HEALTH ATTORNEY**

WHEREAS, there exists a need for the performance of legal services for the East Amwell Township Board of Health for the year 2020, and

WHEREAS, funds are, or will be made available for this purpose to be certified by the Treasurer; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1 *et seq.*) authorizes the hiring of an attorney without competitive bidding providing that the Resolution authorizing the award of contracts for “Professional Services” without competitive bidding and the contract itself be made available for public inspection.

NOW THEREFORE BE IT RESOLVED, by the Board of Health of the Township of East Amwell, Hunterdon County, New Jersey, as follows:

1. Richard P. Cushing, Esq. of Gebhardt and Kiefer, P.C., is hereby appointed to serve as Board of Health Attorney for the Township of East Amwell during the year 2020 in order to provide legal services for the East Amwell Township Board of Health.
2. The Board of Health shall enter into a mutually agreeable written compensation agreement with said Attorneys within thirty (30) days of the date of this Resolution.
3. The Agreement is awarded without competitive bidding as a "Professional Service" under the provision of the Local Public Contracts Law, N.J.S.A. 40A:11-5.

By Order of the East Amwell Township
Board of Health

Tracy Carluccio, Chairperson

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Professional Contract for Soil Test Witness

Ms. Georgett said that Mr. Wolf had established his own business and submitted a bid for this work. She continued by sharing research conducted regarding soil witness fees charged to residents by surrounding municipalities indicating residents were being charged between \$200 and \$350 per day compared with the \$500 per day that East Amwell had been charging to cover expenses. Ms. Georgett summarized that with a new soil witness contract with Mr. Wolf, East Amwell can consider reducing fees charged to residents and increase funds available to cover Township administrative costs. Ms. Carluccio said that Ferriero Engineering had been charging their own administrative fees in addition to Mr. Wolf's costs and were not interested in continuing to provide soil testing services. She continued that it made sense for Mr. Wolf to go out on his own; he does a great job, and he knows the township and local soil conditions well. She added that he has in the past given an educational presentation to the Board, in particular for the new members, and may do so again.

Mr. Tatsch asked if we knew whether the other municipalities were happy with their witness services and Ms. Georgett said yes two of the townships indicated satisfaction and the third is looking at changing policy. Mr. Tatsch said that Walt Wolf's work had been high quality; this job is critical, and if not done well could result in litigation or a failed system. Therefore, he feels good about continuing with Walt Wolf. Mr. DeCandia asked if there would be back up since Walt is a sole proprietor and Ms. Carluccio said Mr. Wolf has always been available as needed in the past and Mr. Tatsch said it has been only Mr. Wolf doing this work during the entire time Ferriero Engineering and the prior company were on board. Mr. DeCandia asked what if Mr. Wolf becomes ill and Ms. Carluccio said we can seek the resources identified by other municipalities to assist if needed.

A motion was made by Ms. Grover and seconded by Ms. Serafin to approve the W. H. Wolf Services Contract. The motion was unanimously carried with no objection or abstention.

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**TOWNSHIP OF EAST AMWELL
HUNTERDON COUNTY, NEW JERSEY
RESOLUTION 02-20
RESOLUTION APPOINTING BOARD OF HEALTH SOIL TEST WITNESS**

WHEREAS, there exists a need for an engineer and a soil test witness for the East Amwell Township Board of Health for the year 2020; and

WHEREAS, funds are, or will be made available for this purpose to be certified by the Treasurer; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1 *et seq.*) authorizes the hiring of professionals without competitive bidding providing that the Resolution authorizing the award of contracts for “Professional Services” without competitive bidding and the contract itself be made available for public inspection.

NOW THEREFORE BE IT RESOLVED, by the Board of Health of the Township of East Amwell, Hunterdon County, New Jersey, as follows:

1. Walt Wolf of W. H. Wolf Services is hereby appointed to serve respectively as Board of Health Soil Test Witness for the Township of East Amwell during the year 2020 in order to provide such services for the East Amwell Township Board of Health.
2. The Board of Health shall enter into a mutually agreeable written compensation agreement with said professional within thirty (30) days of the date of this Resolution.
3. The Agreement is awarded without competitive bidding as a “Professional Service” under the provision of the Local Public Contracts Law, N.J.S.A. 40A:11-5.

By Order of the East Amwell Township
Board of Health,

Tracy Carluccio, Chairperson

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Professional Contract for Hydrogeologist

Ms. Georgett said there are no changes to the contract with Uhl and Associates and Ms. Carluccio said we do not often need this service but Vince Uhl has done well the few times we have. Ms. Carluccio said that given the water conditions in the Township, it is important to have someone reliable and familiar with the area and conditions. Mr. Sobieski asked how often we used them last year and Mr. Tatsch said twice and it was a few hundred dollars each time.

A motion was made by Ms. Grover and seconded by Mr. Tatsch to approve the Uhl and Associates Contract. The motion was unanimously carried with no objection or abstention.

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**TOWNSHIP OF EAST AMWELL
HUNTERDON COUNTY, NEW JERSEY
RESOLUTION 03-20
RESOLUTION APPOINTING BOARD OF HEALTH HYDROGEOLOGIST
UHL AND ASSOCIATES, LLC**

WHEREAS, there exists a need for a Hydrogeologist for the East Amwell Township Board of Health for the year 2020; and

WHEREAS, funds are, or will be made available for this purpose to be certified by the Treasurer; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1 *et seq.*) authorizes the hiring of professionals without competitive bidding providing that the Resolution authorizing the award of contracts for “Professional Services” without competitive bidding and the contract itself be made available for public inspection.

NOW THEREFORE BE IT RESOLVED, by the Board of Health of the Township of East Amwell, Hunterdon County, New Jersey, as follows:

1. Vince Uhl of Uhl and Associates, LLC is hereby appointed to serve as Board of Health Hydrogeologist for the Township of East Amwell during the year 2020 in order to provide such services for the East Amwell Township Board of Health.
2. The Board of Health shall enter into a mutually agreeable written compensation agreement with said professional within thirty (30) days of the date of this Resolution.
3. The Agreement is awarded without competitive bidding as a “Professional Service” under the provision of the Local Public Contracts Law, N.J.S.A. 40A:11-5.

By Order of the East Amwell Township
Board of Health

Tracy Carluccio, Chairperson

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Professional Contract for Environmental Consulting

A motion was made by Ms. Grover and seconded by Mr. Sobieski to approve the Princeton Hydro Contract with the condition that an individual engineer be named and the contract be changed to show Board of Health rather than East Amwell Township. The motion was unanimously carried with no objection or abstention.

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TOWNSHIP OF EAST AMWELL

**HUNTERDON COUNTY, NEW JERSEY
RESOLUTION 04-20
RESOLUTION APPOINTING BOARD OF HEALTH ENVIRONMENTAL CONSULTANT
PRINCETON HYDRO, LLC**

WHEREAS, there exists a need for Environmental Consulting for the East Amwell Township Board of Health for the year 2020; and

WHEREAS, funds are, or will be made available for this purpose to be certified by the Treasurer; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1 *et seq.*) authorizes the hiring of professionals without competitive bidding providing that the Resolution authorizing the award of contracts for “Professional Services” without competitive bidding and the contract itself be made available for public inspection.

NOW THEREFORE BE IT RESOLVED, by the Board of Health of the Township of East Amwell, Hunterdon County, New Jersey, as follows:

1. Princeton Hydro, LLC is hereby appointed to serve as Board of Health Environmental Consultant for the Township of East Amwell during the year 2020 in order to provide such services for the East Amwell Township Board of Health.
2. The Board of Health shall enter into a mutually agreeable written compensation agreement with said professional within thirty (30) days of the date of this Resolution.
3. The Agreement is awarded without competitive bidding as a “Professional Service” under the provision of the Local Public Contracts Law, N.J.S.A. 40A:11-5.

By Order of the East Amwell Township
Board of Health

Tracy Carluccio, Chairperson

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Announcements/Agenda Review –

The following agenda items were added by Ms. Georgett
6.C. Ordinance 20-01BH
8.B. Road Sale Article

Presentation of Minutes –

November 26, 2019 Regular Meeting Minutes: Ms. Carluccio said that these minutes are from November because the December meeting was cancelled. She continued that although only three current Board members were present at the meeting, members not in attendance who have reviewed the minutes may vote on them. **A motion by Ms. Grover, seconded by Mr. Tatsch, to approve the Board’s minutes with minor edits was unanimously carried with no objections and Mr. Sobieski abstained.**

Open To The Public

Ms. Carluccio opened the floor to public comment. Seeing no members of the public come forward, **a motion by Ms. Serafin, seconded by Mr. Tatsch, to close to the public was unanimously carried with no objection or abstention.**

Unfinished and New Business

Hunterdon County Division of Public Health Inspector's Report

Ms. Georgett read the attached report submitted via email by Jennifer O'Sullivan.



HC Public Health
Inspector Report 1-1

Preview Committee

Hess, 40 Linvale Rd, Block 31 Lot 6 – Septic Application

Gregg Barkley introduced himself as the Engineer for this property and reviewed the septic application saying this property at 40 Linvale Road is at the top of the hill with several buildings and a horse paddock. He continued that during soil testing in December 2019 they excavated 11 test pits throughout the property because there were none that were suitable for a septic system in terms of groundwater or for a basin flood test. Mr. Barkley said a basin flood test was attempted in a pit that looked marginal and 300 gallons of water were put into the pit. He continued that after 19 hours there was no drop or perceivable change in the water level. Mr. Barkley said that based on these results they were faced with a no perk design, and although undesirable, he has successfully designed several such systems over the years in the area. He continued saying that since he did not hear from those for whom these systems were designed and installed, it was assumed there were no issues. Mr. Barkley said this will be a mounded, soil replacement system that is near soil logs #4 and #1 and referred the Board to page 2 of the design for details and described the soil log placement, distances, etc. He continued saying there is an old system from the 1970's and it was evaluated by a potential buyer with unsatisfactory results.

Mr. Tatsch asked if the existing system had failed and Mr. Barkley said not to his knowledge but rather there was sitting water accumulating, flooding the laterals. Mr. Barkley continued by saying the property owner had suggested putting the new system in the front yard but instead it has been designed in the back yard and as far away from the house as possible. He continued that if there are any issues with the system, at least it's not in the front yard and he did have some faith the system would function. Mr. Barkley said the design flow is well beyond typical average daily flows. Ms. Carluccio asked if it was designed to the 2.08 square foot gallon per day requirement and Mr. Barkley said yes. Mr. Barkley said that due to Hunterdon County requirements that the system would be graded an additional 1.5 feet and he did not see any issue with that because there is a lot of area. Mr. Barkley said that because the system is so far downhill, and he did not want to put in a pump, another option he considered was an Alternative Treatment Unit (ATU). He continued that this would allow grading at 1.5 feet lower in height and with the Board's agreement he would like to discuss this with the property owner and contractors to get quotes. Mr. Barkley said he knows a pump tank is typically around \$5,000 and an aerobic system are in the order of \$7,000 - \$8,000 but with other factors that may be a wash.

Mr. Barkley said based on the Board's recommendation, he would need to go back to Hunterdon County with design revisions to the existing conventional system. Ms. Carluccio said the existing well on the property does have the 200 foot separation distance from the tank and to the proposed bed as required.

She told Mr. Barkley to reflect these distances on the design map. Ms. Carluccio continued that the Board needs a statement added to the design map saying the adjacent properties were investigated and there are no wells within 200 feet. Ms. Carluccio continued that she spoke with the County about this and State code requires 48 inches separation distance from highest water table. She continued that the County clarified that it is measured from the high side existing grade, as Mr. Barkley had stated. Ms. Carluccio clarified for the Board that Mr. Barkley is suggesting he could do this by installing an ATU compared with the current design requiring the system come up further out of the ground without putting in a pump. She continued that Mr. Barkley will go back to discuss this with his client and so the Board would not approve the system tonight. Ms. Carluccio said the only down side is that a maintenance plan must be placed in the deed and maintenance must be carried out annually but that will assure the system is operating. Mr. Tatsch said he would feel much more comfortable with an ATU because with the non-existent percolation the effluent discharge coming from the ATU would be much cleaner than anything coming from a conventional system. Ms. Carluccio agreed and said if there was not already a house on this property, building a house would not be permitted. She continued that since there is an existing 5-bedroom home with no expansion, we can consider granting waivers from the code. She said we want to look at this very carefully so it will not fail and also protect ground water and the environment. Ms. Carluccio said because the basin flood failed, it may not be useful to do another soil test and asked Mr. Barkley if he felt another soil log was appropriate. Mr. Berkley said no. Ms. Carluccio said for waiver #2 there is no permeability and so it is about designing a system that will be as protective as possible. She continued that for waiver #3 if an ATU were recommended, Mr. Berkley would need to return to the Board. Ms. Carluccio said that some items can be approved conditionally and she would then review for finalization. However, an ATU was too much of a change, and it also needs to go back to the County. Mr. Berkley said the property is under contract for sale and the maintenance agreement is protection for them.

Mr. Tatsch asked if the Board could recommend an ATU and Ms. Carluccio said the recommendation on a system needs to come from the engineer. There was further discussion regarding water table levels, pump tanks, and other types of systems. Ms. Carluccio said the Board has settled on waivers #1 and #2, so they would not need to be reviewed again. Mr. Berkley said he will plan to return in February.

New Business

Introduction of Ordinance 20-01 BH

Ms. Carluccio said the Ordinance will be introduced tonight with a first reading and at the next meeting the Board can vote on it after public comment. A motion was made by Ms. Grover to introduce Ordinance 20-01BH that was seconded by Mr. Tatsch.

Ms. Georgett read the Ordinance into the record as follows:

An Ordinance Amending the Code of the Township of East Amwell, specifically Chapter 149 Board of Health Ordinance or Fees, to revised ARTICLE 1 – Witnessing Well Tests and Field Work, Section 149-1 Fee Schedule (E)

Be it ordained by the East Amwell Board of Health that they hereby amend Chapter 149, Fees, Article 1 – Witness Well Tests and Field Work, Section 149-1 Fee Schedule (E) as follows:

Provision of witness services for field work provided by a contracted engineer on single or multiple lots by a single witness:

	1 Lot	2 Lots	3+ Lots
Half Day (Up to 4 hours)	\$200	\$240	\$290

Full Day (Over 4 hours/up to 8 hours) \$375 \$425 \$450

Ms. Georgett shared the witness fee paid to Walt Wolf for a full day will be \$300 and \$75 is sufficient to cover township costs. She continued that when soil testing is scheduled, the Township collects in advance for two days of testing and when Walt submits his report it includes any refund to be provided to the resident when there is less than two days of testing. Ms. Georgett further explained the witness cost and funds available to cover township administrative costs based on all changes submitted.

Mr. Sobieski asked if the Board of Health was able to adopt Ordinance changes and Ms. Carluccio said yes, they do not need to go to the Township Committee. Mr. Sobieski asked what “n Lots” in the existing Ordinance meant and Ms. Georgett said it was for 4 or more lots. Ms. Georgett said the Board would vote on this at the next meeting.

Items of Discussion

Education and Health Issues - none

Board Secretary’s Report

Municipal Building Radon Update

Ms. Georgett said the Township upstairs office area was tested for Radon with passing results. She continued that the radon mitigation in the basement continues and the Board will be updated on progress until passing results are obtained. There was some discussion regarding actual results and Ms. Georgett said the office radon levels were below 4.0 which is the NJ State threshold.

Soil Test Witness Refund Procedure

Ms. Georgett said that when residents request a soil test witness, they are required to submit payment for two days of testing. When testing is complete, the witness provides a report on test results and the amount of time utilized including any amount to be refunded when testing takes less than two days. She continued that the Board sees this information as backup documentation for Invoice/Bill payments.

Ms. Georgett said that the amount to be refunded is not discretionary and is based on the Township Board of Health Ordinance previously discussed. Therefore she, as Board Secretary, and the Township CFO made a recommendation to Chairwoman Carluccio that the refunds to residents be approved by the Board of Health Secretary for payment to streamline the process and provide refunds in a timely manner. Ms. Carluccio agreed and beginning immediately these refunds payments will be on the Board agenda as “informational only” and listed separately from Bills of The Evening submitted for Board approval.

Correspondence – no comment

Bills of the Evening

A motion by Ms. Grover, seconded by Mr. Tatsch, to approve one Bill of the Evening was unanimously carried with no objections or abstentions.

Open to the Public

There being no comments, a motion by Mt. Tatsch, seconded by Ms. Serafin, to close to the public was unanimously carried with no objection or abstention.

Adjournment

A motion by Mr. Sobieski, seconded by Ms. Grover, was unanimously carried to adjourn the meeting at 8:54 p.m.

Rosemary Georgett
Board of Health Secretary