

**EAST AMWELL BOARD OF HEALTH MINUTES**  
**7:30 PM ZOOM**  
**January 24, 2023 – Reorganization Meeting**

**Statement of Compliance**

The reorganization meeting of the East Amwell Board of Health was opened on January 24, 2023 at 7:32 PM. In compliance with the Open Public Meetings Act, notice of this meeting was published in the February 17, 2022 issue of the Hunterdon County Democrat. A copy of the agenda was forwarded to the Hunterdon County Democrat, filed in the Township Clerk’s Office, posted on the bulletin board and township website.

**Roll Call**

<b>Committee Member (term expires)</b>	<b>1/24/2023</b>	<b>2/28/2023</b>	<b>3/28/2023</b>	<b>4/25/2023</b>	<b>5/23/2023</b>	<b>6/27/2023</b>	<b>7/25/2023</b>	<b>8/22/2023</b>	<b>9/26/2023</b>	<b>10/24/2023</b>	<b>11/28/2023</b>	<b>12/26/2023</b>
<b>Tracy Carluccio (12/2024) - Chair</b>	X											
<b>Leo DeCandia (12/2023) - Alternate #1</b>	X											
<b>Michael Dendis (12/2023) – TC Liaison</b>	X											
<b>Janis Grover (12/2024)</b>	X											
<b>Pauline Serafin (12/2023)</b>	X											
<b>Chris Sobieski (12/2023)</b>	A											
<b>Larry Tatsch (12/2024) – Vice Chair</b>	X											
<b>Rick Wolfe (12/2025)</b>	X											
<b>Amy Jo Merz - Secretary</b>	X											

**New Business – Reorganization**

Board of Health Secretary Amy Jo Merz 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 nominations, Ms. Merz called for a vote and the motion was unanimously carried with no objection or abstention.

The Secretary asked for nominations for the Board’s Vice Chair position. A motion was made by Mr. Wolfe and seconded by Ms. Serafin nominating Larry Tatsch as the Board’s Vice Chair. Hearing no other nominations, Ms. Merz called for a vote and the motion was unanimously carried with no objection or abstention.

Chair Carluccio asked for nominations for the Board’s Secretary and noted this was a Board Member position. A motion was made by Mr. Tatsch and seconded by Mr. Wolfe nominating

Pauline Serafin as the Board's Secretary. Hearing no other nominations, Chair Carluccio called for a vote and the motion was unanimously carried with no objection or abstention.

Chair Carluccio asked for volunteers to serve as the Board's well test witnesses and stated that there is no vote needed as these are volunteer positions. The volunteers stepped forward as follows: Mr. Tatsch as the primary witness, Ms. Serafin as the secondary witness and Mr. DeCandia as the back-up witness.

### **Subcommittee Appointments**

Chair Carluccio described the responsibilities of each committee. Volunteers stepped forward as follows:

Preview Committee: Tracy Carluccio, Leo DeCandia, Rick Wolfe and Pauline Serafin (back-up)

Education/Health Committee: Tracy Carluccio and Larry Tatsch

Groundwater Monitoring: Larry Tatsch

Ordinance Committee: Tracy Carluccio, Michael Dendis, Larry Tatsch and Rick Wolfe

### **2023 Meeting Schedule**

A motion made by Mr. Tatsch and seconded by Mr. Wolfe to approve the Board's 2023 meeting schedule was unanimously approved with no objection or abstention. It was noted that the correct meeting day of the week is Tuesday, not Thursday, as written incorrectly on the agenda. The Board will meet on the fourth Tuesday of each month at 7:30 PM. February 28, March 28, April 25, May 23, June 27, July 25, August 22, September 26, October 24, November 28, and December 26, 2023.

Chair Carluccio also spoke to the fact that the Board of Health has been having virtual meeting via Zoom since March of 2020 when Covid-19 began and have continued virtual meetings based on the monthly Covid-19 community levels that are reported for Hunterdon County and that the Board has been following throughout the year. The County's community level for Covid-19 right now is medium and the transmission level is high for the Omicron Xbb1.5 variant, which is the dominant variant in NJ, highly contagious and is the cause for most of the cases. The Board's decision to continue with virtual meetings is based on the monthly information received from the County and State Health Departments. There are many precautions needed when the community level is medium. Chair Carluccio stated that since the public and applicants attend meetings and we do not know what an individual's vaccination level is, her recommendation is to continue to meet virtually. Virtual meetings would also allow more people accessibility due to various reasons, such as, Covid-19 exposure, pending test results or logistical reasons.

Chair Carluccio asked the Board members if they had any objections or thoughts on this issue. Mr. DeCandia asked if it is possible to have a hybrid meeting instead. Chair Carluccio said it could be done but there would be the same issue as noted above of not knowing the vaccination level of those attending in person. The transmission levels in neighboring counties is high so to be conservative and respectful of the public, our volunteer Board members and our applicants, Chair Carluccio feels it wouldn't make sense to have hybrid meetings at this time.

Mr. DeCandia added that he works in Mercer County and there is no requirement to wear masks inside. Possibly a lot of people may not have access to computers to attend virtual meetings. He also added that there most likely wouldn't be large numbers of people attending and feels the Municipal meeting room is probably big enough to allow adequate space between people.

Mr. Wolfe commented that hybrid meetings won't work in the large meeting room because we don't have the technology to conduct a hybrid meeting. It was attempted with the Township Committee and Planning Board meetings but it did not work with the Township's current technology. It would cost a lot of money to buy the technology to hold hybrid meetings.

Mr. Dendis asked if the Board would hold an in-person meeting if there was an item of increased public interest on the agenda. He added that hybrid meetings work for him but does agree with some of the concerns that Mr. DeCandia brought up and agrees with Mr. Wolfe that the technology is not in place in East Amwell to run a hybrid meeting. Chair Carluccio said we could definitely address specific issues and on a case by case basis. Ms. Merz added that if we do have an in-person meeting, she would have to provide adequate notice to the newspapers of the change.

Mr. Tatsch noted that there is a difference between us and other Boards and that is we are the Board of Health. We are setting an example and whether other Boards, or people in general, want to continue to use masks or not, that is their prerogative. As a Board of Health, we have a stronger mandate to follow CDC guidelines. Mr. Tatsch suggested that we re-evaluate the situation very soon and see where things are going by the time Spring arrives. It's possible that Covid cases are going to drop considerably and maybe in the next month or two, we can go back to full meetings. In the meantime, the cases being reported are far less than the cases that are occurring because a lot of people are no longer reporting their cases. So, we are really seeing a relatively small portion of the actual infection rate. We can re-evaluate in the next month or two and make a decision then.

Ms. Grover added that based on what Mr. Tatsch said, she feels we should consider meeting in person sooner than later and set an example. In her industry, they have gone back to having as many traditional meetings as they can to encourage business, the economy and everybody to feel they have things being managed properly. She feels setting a good example is one of good care - to say we will be meeting in person again, spacing properly, wearing masks or not, washing hands properly etc. In her industry, people needed to feel that the professionals were back. It's important to set that example. Ms. Grover will do what the Board goes along with but we should be setting the example that we are accessible to meet with people.

Ms. Serafin commented that she listened to everyone's perspective and thinks that Zoom meetings are good but are not accessible to everyone who wants to participate. If we have applications that the general public wants to hear, if we are on Zoom, it limits their participation or ability to attend. She is open to having an in-person meeting should there be a large need to have community participation. Zoom only limits that ability and people feel that they don't have the ability to come and make comments on future applications. She would like to have an in-

person, open to the public meeting if there is an application that has a lot of public opinion so people can participate. Mr. Wolfe commented if the goal is to maximize public participation, then we should stay with Zoom meetings because there are a number of people that cannot attend public meetings for various reasons such as, work schedules, no child care, mobility issues and sickness. If the meetings are held via Zoom, then they can participate. The number of people in East Amwell that do not have access to Zoom meetings is very small. Most have access to the internet, computers and cell phones. Ms. Serafin stated that some people do have difficulty accessing Zoom for meetings as some people have reached out to her for help.

Chair Carluccio thanked everyone for their input and concluded that if we have an application where there is a lot of public interest, we should consider meeting in the Municipal building. For now, while the community transmission level and infection rate are at the medium level, we will continue with virtual meetings. In the Spring, the levels do go down and have each year since Covid-19 began, as the environment changes, warm weather arrives and people are outside more.

**Approval of Professionals Contracts**

Professional Contract for Legal Services

**A motion was made by Mr. Wolfe and seconded by Mr. Tatsch to approve the Gebhardt & Kiefer, PC, Attorneys at Law Agreement. The motion was unanimously carried with no objection or abstention.**

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**TOWNSHIP OF EAST AMWELL  
HUNTERDON COUNTY, NEW JERSEY  
RESOLUTION 01-23  
RESOLUTION APPOINTING BOARD OF HEALTH ATTORNEY**

**WHEREAS**, there exists a need for an attorney for the East Amwell Township Board of Health for the year 2023; 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. Tara St. Angelo of Gebhardt and Kiefer is hereby appointed to serve respectively as Board of Health Attorney for the Township of East Amwell during the year 2023 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,

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Tracy Carluccio, Chairperson

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Professional Contract for Soil Test Witness

**A motion was made by Mr. Wolfe 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 02-23  
RESOLUTION APPOINTING BOARD OF HEALTH SOIL TEST WITNESS**

**WHEREAS**, there exists a need for an engineer and soil test witness for the East Amwell Township Board of Health for the year 2023; 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 2023 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,

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Tracy Carluccio, Chairperson

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Professional Contract for Hydrogeologist

Ms. Merz said there are no changes to the contract with Uhl & Associates, Inc., and Chair Carluccio said we do not often need this service but Vince Uhl has done well the few times we have. Chair Carluccio also stated that given the water conditions in the Township, it is important to have someone reliable and familiar with the area and conditions.

**A motion was made by Mr. Tatsch and seconded by Mr. Wolfe to approve the Uhl & Associates, Inc., Contract. The motion was unanimously carried with no objection or abstention.**

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**TOWNSHIP OF EAST AMWELL  
HUNTERDON COUNTY, NEW JERSEY  
RESOLUTION 03-23  
RESOLUTION APPOINTING BOARD OF HEALTH HYDROGEOLOGIST  
UHL & ASSOCIATES, INC.**

**WHEREAS**, there exists a need for a Hydrogeologist for the East Amwell Township Board of Health for the year 2023; 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 & Associates, Inc., is hereby appointed to serve respectively as Board of Health Hydrogeologist for the Township of East Amwell during the year 2023 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,

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Tracy Carluccio, Chairperson

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**Agenda Review**

There were no additions to the agenda.

**Presentation of Minutes**

**November 22, 2022 Meeting Minutes**

Approval of the November minutes was tabled for the February meeting; not all members who attended the November meeting were present tonight to vote. Also, Mr. Tatsch noted one small correction to be made: on page 2 under Correspondence, “Exxon Mobile” should be corrected to read “ExxonMobil”. Ms. Merz will make the correction.

**December 27, 2022 Meeting Minutes**

A motion made by Mr. Tatsch, seconded by Mr. Wolfe to approve the December minutes was approved by voice vote with Mr. Dendis abstaining.

### **Presentation of Vouchers**

No motion was required tonight since the only line item listed was a soil witness fee refund, which is informational only.

### **Open to the Public**

A motion made by Mr. Tatsch, seconded by Mr. Wolfe to open the meeting to the public was unanimously approved by voice vote.

**Noel Wiggins, 75 John Ringo Road, Ringoes, NJ** – Ms. Wiggins asked when a system is going to be installed, are the neighboring properties taken into consideration? Chair Carluccio stated that there are standards in the State code and also standards in the body of regulations in East Amwell that need to be adhered to regarding distances from a septic system to existing wells of neighboring properties. Ms. Wiggins also asked about systems that are installed near wetlands? Chair Carluccio stated that there are separation distances that need to be maintained if near wetlands and if a system is encroaching on wetlands, a permit needs to be obtained from the State.

A motion made by Mr. Tatsch, seconded by Mr. Wolfe to close the meeting to the public was unanimously approved by voice vote.

### **Unfinished Business**

There was no unfinished business for discussion.

### **New Business**

#### **Resignation of Board Member, Peter Miller**

Mr. Miller submitted his resignation in December 2022. A motion made by Mr. Tatsch, seconded by Ms. Serafin to accept Mr. Miller's resignation and to thank him for his service on the Board was approved by voice vote. Chair Carluccio stated she will get in touch with Ms. Merz and they will write a thank you letter to Mr. Miller.

### **Items of Discussion**

#### **Education and Health Issues**

Regarding the NJDEP Information on 165 Lindbergh Road, Chair Carluccio provided a review for current and new members. Chair Carluccio sent a letter following up on DEP's report that they sent us with test results at this property, stating that the findings show that the TCE that was previously found on the property is now below health limits as per NJDEP and no further action is needed at this time and asked the State what they are doing to find the source of contamination. Chair Carluccio recommends that we continue to communicate with the State so we know what their findings are and continue to stay on top of this issue. Mr. Tatsch added that the State indicated it wants to determine the source of the plume but says no further action is being taken at this time. Mr. Tatsch doesn't know how they would determine the source without sampling the surrounding wells. Chair Carluccio said we can give DEP that feedback and suggest the State put in monitoring wells around 165 Lindbergh Road to try to catch any movement of the plume of contamination.



### **Board Secretary's Report**

Ms. Merz informed the Board that she mailed letters to annual food license applicants at the end of December and has started to receive a number of the renewal applications to process.

### **Open to the Public**

Hearing no members of the public come forward, a motion made by Mr. Wolfe, seconded by Mr. Tatsch to close the meeting to the public was unanimously approved by voice vote. A member of the public came forward prior to adjournment because they did not hear the open to the public announcement. The meeting was reopened to the public via a motion made by Ms. Serafin, seconded by Mr. Tatsch to open the meeting to the public and was unanimously approved by voice vote.

**Joanne Engelman, 6 Dutch Lane, Ringoes, NJ** – Ms. Engelman stated that she also is in favor of public, in-person meetings held at the municipal building. She liked listening to all the different views of the Board tonight regarding how future meetings will be held but if an issue or application that is getting a lot of public opinion, a hot issue, it would be great if there could be an arrangement for an in-person, public meeting. In addition, Ms. Engelman asked that since UAW came into East Amwell with their application, has the Board reviewed anything yet for Region 9? Chair Carluccio stated that the Board has not received an application from Region 9 yet and the Board does not discuss issues that may come before the Board until they have received the application.

A motion made by Mr. Tatsch, seconded by Ms. Serafin to close the meeting to the public was unanimously approved by voice vote.

### **Correspondence**

Chair Carluccio reviewed the correspondence received with the Board. There was no discussion amongst the members. Regarding the email received from Noel Hewitt (Wiggins), it was pertaining to Rick Wolfe recusing himself and agreeing in public to recuse himself from voting on anything to do with Region 9 and also Ms. Hewitt's request for East Amwell Board of Health meetings to be held in person and open to the public. Chair Carluccio stated that the format was addressed earlier tonight during the first open to the public section. Chair Carluccio said she will follow up by sending a personal response back to Ms. Hewitt.

### **Adjourn**

A motion made by Mr. Wolfe, seconded by Ms. Serafin to adjourn the meeting at 8:31pm was unanimously approved by voice vote.

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Amy Jo Merz, Board of Health Secretary