

**EAST AMWELL BOARD OF HEALTH MINUTES**  
**7:30 p.m. East Amwell Municipal Building**  
**February 25, 2020 Regular Meeting**

**Statement of Compliance**

The regular meeting of the East Amwell Board of Health was opened on February 25, 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 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

Jennifer O’Sullivan - Hunterdon County Division of Public Health

**Absent:** na

**Agenda Review** – Items added to agenda:

- 6.B.2 – Municipal Clerk email re: sub-committee meeting procedures
- 8. – remove item
- 9.D. Hunterdon County Food Inspection Fees

**Presentation of Minutes** –

January 21, 2020 Meeting Minutes: **A motion by Ms. Grover seconded by Ms. Serafin, to approve minutes with minor edits was carried with no objections and Ms. Ramsey abstained.** There was discussion regarding the time taken to record non substantive corrections and changes to the minutes with the Board agreeing that going forward, corrections to grammar, punctuation and the like should be forwarded to Ms. Georgett prior to the meeting. Changes and edits on substantive and material content will continue to be covered and discussed in the open public meeting forum.

**Open to the Public** –

Ms. Carluccio asked if any member of the public would like to bring a topic not on the agenda to the Board. Krista Parsons stepped forward and introduced herself as the Acting Municipal Clerk. She continued that sending non substantive edits to the minutes to Ms. Georgett prior to the meeting is appropriate. Ms. Parsons said that for a Board Member who did not attend a meeting to vote on the minutes, they must have listened to the recording of the meeting. Ms. Parson then said that she was present regarding the Ordinance hearing originally on the agenda and that all Ordinances need to come before the Township Committee for introduction and adoption. She

continued that the Board would draft the Ordinance and submit to the Township Committee who would introduce it and pass back to the Board of Health for comment and edits. Ms. Parsons said that it would then come back to the Township Committee for public hearing and that is why the Ordinance was removed from the agenda. Ms. Carluccio said this is a change from how Board of Health Ordinances have been done in East Amwell for 25 years. Ms. Carluccio continued saying that she does not accept the change and will be researching the matter further. She continued that the soil test witnessing under the new rates should not be held up further and this process would lengthen the time needed for adoption. Ms. Parsons said it would be on the Township Committee for introduction in March and possible voting in April. Mr. Sobieski asked if this was a State Law and Ms. Parsons said yes for Ordinances involving fees. Ms. Carluccio asked Ms. Parsons to provide specifics regarding which Ordinances Ms. Parsons believes must go to the Township Committee and this will help inform the Board's research. There was some discussion regarding Ordinances previously adopted by the Board of Health being valid, and Ms. Carluccio said the Board of Health can approve Ordinances and she will research the question around Ordinances involving fees which are the least frequently changed. Ms. Carluccio continued that this can be addressed, if needed, once the research is completed. Ms. Parsons said that when looking at Ordinances the Board has approved, most included the State Statute and therefore are not in question. It was agreed to take further discussion off line.

Mr. Richard Thayer of 18 Mountain Road stepped forward and said there is a lot across the road from his property that is 3.76 acres and asked when perc tests can be done. Ms. Carluccio said that the time for public question is limited to 15 minutes so if there are still some remaining questions, they can be continued later if necessary (in the second public comment session at the end of the meeting). She continued that percolation tests can be done at any time. Mr. Thayer said his big issue is wetlands and the NJ Department of Environmental Protection (DEP). He continued that this process began last January, he has spent \$5000 and the NJ DEP has had his application since last September. Mr. Thayer said he has been working directly with the NJDEP and not making any progress, and is looking for advice from the Board on how to get the application moving forward. Ms. Carluccio said that he should get an engineer who can guide him through the process, provide guidance and interface on his behalf with the NJDEP. Ms. Grover said you will need an environmental engineer. Mr. Thayer said that he will do so, and that trying to get approval through the NJDEP has been a terrible experience.

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

## **Unfinished and New Business**

### **Hunterdon County Division of Public Health Inspector's Report**



Ms. O'Sullivan stepped forward and summarized the attached report as follows:

**5.A.1.) Speedway Corp. Monitoring Wells** – Mr. Wyckoff has been out of the office and so there is no update. There has been no progress reported on this matter.

**5.A.2.) NOV Harry Britton** – Mr. Britton continued to provide receipts on the ongoing cleanup of his property.

**5.A.3.) NOV Lillian Thompson** – Ms. Thompson went to court and the Judge adjourned the matter for 60 days to allow progress and she will be back in Court on 4/27/2020.

Ms. Carluccio told Ms. O’Sullivan that she has been trying to contact Carla Hobbs in the County Dept. of Health for a resident who wants to establish a composting facility on their property for neighbors to bring their composting. Ms. O’Sullivan said that would be a community composting operation and that she will follow up to determine if there are regulations or guidance on this.

### **Unfinished Business –**

#### **Preview Committee**

##### **Hess, 40 Linvale Road – Block 31 Lot 6**

Ms. Carluccio said the Board may recall that Mr. Barclay presented this application in January and there was a discussion regarding how to design the bed itself. She continued that the conversation resulted in Mr. Barclay saying he wanted to go back and discuss installing an Advanced Treatment Unit (ATU) with the property owner. Ms. Carluccio said the Board has received the updated application and design with an ATU and a revised County letter for this property. Mr. Greg Barclay introduced himself as the engineer for this system and said he spoke with the property owner about two options. He continued that the first option was installing the system with an ATU thereby leaving the height the system as it was originally designed and the discrepancy is that when he designed the mound, he used the elevation of the soil logs, subtracted the depth of ground water and provided a four feet separation. Mr. Barclay said that the County required this be measured from the up slope side of the disposal bed which would have required a conventional system to be 2 feet higher than what was originally designed. He summarized that the new design includes an ATU with the required separation distance to the high water table and a number of notes have been added to the plan as well. Mr. Barclay read the approvals required from the Board from the updated County letter dated February 10, 2020.

Mr. Barclay said that regarding item 11 he isn’t certain that NEHA still provides certifications but if they do, one will be obtained and in either case will ensure that the installer is fully qualified. Mr. Barclay continued that regarding waiver 1, they performed 11 soil logs across the property that were consistent and he was, at the time, unaware that a third was required. The Board had no questions. Mr. Barclay said a basin flood was attempted with almost no drop in the water level over a 24 hour period, and there was no indication that any other location on the property would be better. He continued that the design flow for this property is 800 gallons which is far more than a typical usage, and that he has confidence that there is permeability in the soil because the previous system installed in the 1970’s had functioned for some period of time. Mr. Barclay added that with the ATU the wastewater is being treated and would not be detrimental to the environment if there were issues with slower percolation. Ms. Carluccio said

that lastly the addition of an ATU makes the design compliant with the state code's distance requirement to the highest regional water table.

**A motion by Ms. Serafin, seconded by Mr. Sobieski to approve the Septic System with waivers in the County letter dated February 10, 2020 was carried with no objections and Ms. Ramsey abstained.**

**Wargo, 229 Mountain Road – Block 30 Lot 7**

Mr. Chris Nusser of E&LP stepped forward and introduced himself as the engineer for this application. Ms. Carluccio said she left a message with some questions for Wayne Ingram, the engineer named on the design, and Mr. Nusser said he had not received them. Mr. Nusser said the system was tested by the owner who is looking to list the house and the system is in failure. He continued that this was done proactively before listing the property, and when the site was tested there was no permeability. Mr. Nusser said the property is 6.59 acres and this includes a 250 foot wide JCP&L easement that extends over & restricts the northwest end of the property from use. He continued that the property is wooded and uphill to the west making it impractical to access for testing. Mr. Nusser said the existing system has operated for 40 years without backup or blow outs, and there was 6 inches of movement in the basin flood but not the full 12 inches needed. He continued by reviewing the parameters of the Norweco ATU and noted that this system is 30% oversized from the Township Ordinance and three times oversized from NJ State requirements.

Mr. Nusser reviewed the waivers outlined in the County letter dated January 15, 2020 and stated that waivers 2 and 4 which do not meet setback distance requirements are a balancing act. He continued that moving further from the well brings the system closer to the property line, and the reverse is also true. Mr. Nusser said the system is downhill from the well and meets the State 100 foot buffer requirement. Ms. Carluccio said the pretreatment tank is one the Board has seen often. There were no questions about it from the Board.

Ms. Carluccio said typically the map shows the property lines, and Mr. Nusser said that there is a survey which had not previously been provided to the Board and handed Ms. Carluccio a copy. Mr. Nusser said that Ms. Georgett should keep this survey for the property file. Ms. Serafin asked where the neighbor wells are located because they are not on the map. Mr. Nusser said neighbor residences and wells are not within 200 feet of the disposal field. Mr. Sobieski asked for confirmation that the JCP&L easement does not permit use of that area, and Mr. Nusser said that is correct. Ms. Carluccio asked why certain areas on the lot were not tested including the western section, and Mr. Nusser said they had walked that area which is not accessible due to the woods as well as boulders. He continued that what they found from other soils is that moving 50 feet in any direction was not changing the results, and he understands that the Board wants to maximize distances. Mr. Nusser said the ATU will improve functioning of this system and there were no failed tests performed.

Ms. Carluccio asked how far it is from the road, and Mr. Nusser said it is 15 feet from road to the property line plus another 7 feet to the toe of the mound. Mr. Nusser continued saying that the

3:1 slope is commonly in practice and he did not have a concern about erosion. There was further discussion regarding the distance to the road and the trees slowing down water flow. Ms. Carluccio asked about permeability, and Mr. Nusser said with the oversized ATU system and the 6 inch water drop during the basin flood, they are fully confident in the system. Ms. Carluccio asked that for future files, the Board would like to have the plan showing all property lines as well as an enlarged inset with system components and in particular when there are so many soil tests. Mr. Tatsch said regarding soil log 1 it states there is massive rock substratum and is that due to the high amounts of gravel, cobble and stone. Mr. Nusser said yes it is 50% coarse fragments at that point.

**A motion by Mr. Tatsch, seconded by Ms. Grover to approve the Septic System with five waivers in the County letter as well as all conditions for the ATU was carried with no objections and Ms. Ramsey abstained.**

### **Items of Discussion**

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

Ms. Carluccio said that she and Mr. Tatsch were speaking about having a few “teach ins” on basics such as why soil tests are conducted, what you’re looking for when doing the testing for a septic system, and the Water Supply Ordinance. She continued that these could be during Board meetings that are open to the public and where there is a light agenda so as not to make the meeting too long. Ms. Carluccio said Mr. Tatsch could cover the Water Supply Ordinance and Walter Wolf could be brought in to discuss soil testing. Board members agreed that this would be beneficial. Ms. Grover asked if there was a projector that could be used during classes and also when looking at the septic maps, and Ms. Georgett said yes there is a projector that could be used. Ms. Carluccio said she and Ms. Georgett will look into how this can be done, possibly with a portable screen and in such a way that the Board can still interact with the applicant. Mr. Sobieski said this could be good for the Planning Board as well and he will follow up on it. It was agreed by Board members that having presentations would be beneficial, and Ms. Carluccio said she will plan some.

Ms. Carluccio said that Ms. Georgett had sent out links to the East Amwell Code as well as NJAC 7:9A, which is the State Code and good to have handy.

#### **Board Secretary’s Report:**

**Municipal Building Radon Test Update** - Ms. Georgett said there is no update regarding radon testing because results from the most recent testing are pending. She continued by reviewing the township procedure for meetings including subcommittee meetings:

1. All committees shall book a meeting room with the Clerk's Office. If you are meeting as a sub-committee or any other type of meeting, you still need to secure a meeting room.
2. The last committee to leave the building is responsible to secure and set the alarm to the Municipal Building. If you do not have an alarm code or a key fob, you must correspond with the Acting Clerk or the Committee/Board Administrator to open and close the building for you.

Ms. Georgett said that Ms. Ramsey was not present during the January Board meeting discussion on subcommittees and she will send her information regarding them so Ms. Ramsey can indicate those of interest. Mr. Sobieski said that if Ms. Ramsey or others were interested in learning about the preview committee, they could take his place at a committee meeting.

**Correspondence:** There were no comments.

Mr. Sobieski asked if there was anything about the Coronavirus, and Ms. Georgett said a message from the Hunterdon County Health Department about this had been forwarded to Board members and is posted on the Township website under BOH. There was further discussion regarding news broadcasts that there may be major disruption coming from this, and that the impact in China may be more than currently understood.

**Bills of the Evening:**

**A motion by Ms. Grover, seconded by Ms. Serafin, to approve four bills was unanimously carried with no objections and Mr. Tatsch abstained from item 9.A. payment to himself.**

**Open to the Public:**

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

**Adjournment:**

There being no further business, **a motion by Mr. Sobieski, and seconded by Ms. Serafin, to adjourn the meeting at 8:09 p.m. was unanimously carried with no objections or abstentions.**

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Rosemary Georgett, Board of Health Secretary