

EAST AMWELL BOARD OF HEALTH MINUTES
7:30 p.m. <http://Zoom.us/j/7106754155> and [646-558-8656](tel:646-558-8656) ID 710 675 4155
Regular Meeting August 25, 2020

Statement of Compliance

The regular meeting of the East Amwell Board of Health was opened on August 25, 2020 at 7:33 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 August 20, 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
Leonardo DeCandia, Alt. 1
Chris Sobieski
Tara Ramsey
Janis Grover
Peter Miller, Township Committee

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

Agenda Review – None

Presentation of Minutes –

July 28, 2020 - **A motion by Mr. Tatsch seconded by Ms. Serafin, to approve minutes with minor edit was carried with no objections or abstentions.**

Open to the Public –

With no members of the public coming forward a **motion by Mr. Sobieski, 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. O’Sullivan provided written reports that were read by Ms. Georgett and are below:

On Tue, Aug 25, 2020 at 5:13 PM Jennifer OSullivan <josullivan@co.hunterdon.nj.us> wrote:

Hi Rosemary,
Please see message below concerning the wells.
Thank you,
Jenny

From: Dan Wyckoff <dwyckoff@co.hunterdon.nj.us>
Sent: Tuesday, August 25, 2020 3:46:18 PM
To: Jennifer OSullivan <josullivan@co.hunterdon.nj.us>
Subject: Speedway Service Station #3476- Well Decommissioning
Jennifer:

Envirotract Environmental Services, working for Speedway, has responded to the Notice of Violation that was dated August 5, 2020. Apparently, the companies, Speedway and Envirotrac had taken proactive action steps on May 21,22,23, 2019 to decommission many of the wells on our list without notifying the Hunterdon County Department of Health or the Township, but they had obtained the proper permits from the State of New Jersey so that decommissioning reports were completed. Those decommissioning reports have been sent to the attention of the Department of Health along with research Envirotrac had done using NJDEP DATA Miner showing many of the other wells had been decommissioned previously, or permits were never filed with the State of New Jersey.

Currently, there are 5 wells that remain to be decommissioned, two on the Schaffernoth Nursery property, and two in the NJDOT Right of way, and one elsewhere. Speedway/Envirotrac has obtained permission from the property owners where the remaining wells are located and they will be decommissioned within the 30-day time frame as outlined in the NOV. We have sent the necessary application to EnviroTrac so that they will register the decommissioning of the remaining 5 wells and from there we will back track and sign off on the other wells that were decommissioned in May 2019.

Once the remaining wells have been decommissioned, and we have received the reports, we will notify the board, and at time we will be able to close out this unfinished business item.

Daniel Wyckoff | Principal REHS Hunterdon County Department of Health

On Tue, Aug 25, 2020 at 3:34 PM Jennifer OSullivan <josullivan@co.hunterdon.nj.us> wrote: Hi Rosemary! I won't be able to call in tonight but I do have a brief update for you on two of the complaints. I will be sending over the update regarding the monitoring wells from Dan shortly.

Regarding the septic complaint for Lillian Thompson she has not been attending the virtual court dates so a trial will be scheduled. That date has yet TBD. Aaron Culton of County Counsel will be the prosecutor.

6 Zion Road- I visited the property on 8/6/20 and spoke to Mr. Britton. Clean up at the property is almost complete with a few items that still either need to be disposed of or stored properly. I will be conducting a follow up inspection in early September.

Please let me know if you have any questions, Thank you, Jenny

Preview Committee
Wilbur, 50 Mountain Road, Block 40.02 Lot 24 Septic Application

Mr. Christopher Nusser with E&LP introduced himself and Ms. Carluccio said she had left messages for Mr. Ingram the professional engineer for this septic application to request more information about why there were no soil tests on the front of the property and to inquire about the location of wells on adjoining properties. Mr. Nusser said this is an existing 3-bedroom dwelling with malfunctioning system, and new system will be a pressure dose system. He continued that the new system is in the front yard, the old system in the back corner, there is very good permeability and all State and Township setbacks are met. Mr. Nusser said the area that was not tested has large boulders and is wooded so access to perform tests is limited and a large area would need to be cleared to consider this area. He continued saying there are no wells within 200 feet and the only potential property would be to the west/left and that house and well are more than 200 feet from the proposed system. Ms. Carluccio said it looks like the failed system is closer to the well than the new field, and Mr. Nusser said yes, I don't have the exact distances but it would be no closer than the failed system.

Ms. Carluccio said the Board is allowed to consider a waiver of distance from the well to the system since this is a malfunctioning system with no expansion and the new system is closer to the State Code and East Amwell's ordinance than the existing system. She asked if the Board had any further questions.

A motion by Ms. Serafin, seconded by Mr. Sobieski to approve the Septic System with one waiver was carried with no objections or abstentions.

Nicholson, 4 Burd Lane, Block 36 Lot 13 Septic Application

Ms. Carluccio introduced the property saying that the Nicholsons have been working with their engineer from South Jersey Engineering to design the system. Ms. Carluccio asked the Board if it was OK to first review the well information and all members agreed. She reported that based on research into the adoption of the Board's Water Supply Ordinance, the Ordinance with the requirement of a separation distance was not adopted until after the well was installed and it was also certified at that time. Ms. Carluccio said that with this information the well is a moot point and if the Board agrees, the septic application can be considered. There were no objections.

Mr. Vinny Gioffre introduced himself as the engineer for this property. Ms. Carluccio said that the information reviewed by the Board had an old application and map but a new application and map was received this morning. She continued that therefore, the one waiver identified in the County letter is accurate because the new application and map address some previous inconsistencies.

Mr. Gioffre said the system is for a three-bedroom dwelling with primary and reserve fields. He continued that there is an existing well but the distance does not meet the required 200 feet setback. (Note: this was not relevant due to the distance requirement not applying to this well). He stated there are no other wells within 200 feet and the system meets all other Township requirements. Ms. Carluccio asked Mr. Gioffre to share details on location and distance for other wells. Mr. Gioffre said that on three sides it is wooded without residences within at least 200 feet, and the property across the street is more than 200 feet.

Ms. Carluccio said there were corrections made in the updated design and there is a 150-foot radius shown around the septic system. She asked the Board if a 200-foot radius should be shown around the well and Mr. Sobieski asked if this could be done conditionally. Ms. Carluccio said yes and Mr. Gioffre would not need to come back before the Board, but would need to submit documentation to the Board of the change to the plan. Mr. Tatsch said yes, he feels the 200-foot radius around the well should be added and several board members agreed.

A motion by Mr. Tatsch, seconded by Mr. Sobieski to approve the Septic System with one waiver and one condition was carried with no objections or abstentions.

Items of Discussion

Education and Health Issues:

Ms. Carluccio said a member of the public called her about water bottles sitting out in the sun and that this can cause contamination of the water. She continued saying that she called Dan Wyckoff of the Hunterdon County Health Dept and he said that because the leaching of chemicals into water that is contained in a plastic container exposed to sun and heat is a known problem, he will send a letter to Speedway stating that the water bottles need to be taken in from the sun and heat if they want to continue to offer them for sale.

Board Secretary's Report: Ms. Georgett said that at the reorganization meeting the Board approved contracts with professionals outlining terms and conditions, fees for services, etc. and the current procedure is that when invoices are received from these professional the Board needs to approve them and then the Township Committee needs to approve them as well. She continued that because the Township Committee meets the week before the Board, payment of invoices can be held up for as long as two months. Ms. Georgett said she has discussed this with the CFO and Municipal Clerk and is recommending that invoices for services approved in advance and provided under the terms of a contract can be authorized upon receipt and then presented to the Board for review at the next meeting. She continued saying that the Board would still have the ability to dispute a payment when presented at the meeting. Ms. Carluccio asked if the Board had any questions or concerns, that this would not require an Ordinance change, and Mr. DeCandia asked if there is a maximum amount of an invoice that would come to the Board. Ms. Georgett said no, most invoices are a few hundred dollars and Ms. Carluccio said the County invoice for services which is billed quarterly can reach \$1,000 or more. There were no further questions and the Board agreed with the recommendation.

Correspondence: No Comment

Bills of the Evening: A motion by Mr. Tatsch, seconded by Mr. Sobieski to approve 2 bills was carried with no objections or abstentions.

Open to the Public:

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

Mr. Sobieski said at the last Township Committee meeting there was a request to have a periodic update of Board activity provided, and he will follow up with Township Committee members to

obtain information regarding what they want to see in the report. Mr. Sobieski and Ms. Georgett will then prepare an outline for the Board to review at the next meeting.

Adjournment:

There being no further business, **a motion by Ms. Serafin and seconded by Ms. Grover, to adjourn the meeting at 8:10 p.m. was unanimously carried with no objections or abstentions.**

Rosemary Georgett, Board of Health Secretary