

**WEST AMWELL TOWNSHIP BOARD OF HEALTH**  
**August 25, 2016 – 7:30 p.m.**

The West Amwell Township Board of Health met on the above date.

The meeting was called to order at 7:35 p.m. Due to the absence of the Chair and Vice-Chair, Mayor Rich declared the meeting in compliance with the Open Public Meetings Act. Notice of this meeting was included in the Resolution faxed to the Hunterdon County Democrat and Trenton Times on January 29, 2016, was posted on the bulletin board in the Municipal Building on said date and has remained continuously posted as required under the Statute. A copy of this notice is and has been available to the public and is on file in the office of the Municipal Clerk.

Present: Zach Rich, John Dale, Stephen Bergenfeld, Jim Cally, Brian Mundhenk and Lora Olsen. Rick Kropp and Ken Hart were excused. Public in attendance included Alex Mikos and Gregg Barkley

Jim Cally and Brian Mundhenk are full voting members for this meeting.

**PRESENTATION OF MINUTES**

The minutes of the regular meeting held May 26, 2016 and those of the special meeting held July 12, 2016 were approved on motion from Dale, seconded by Rich and unanimously approved.

**AGENDA REVIEW**

Nothing was added or deleted.

**OPEN TO THE PUBLIC/TOPIC NOT ON THE AGENDA**

No one came forward.

**INTRODUCTION OF ORDINANCES AND/OR PUBLIC HEARING AND/OR SPECIAL PRESENTATION**

N/A

**NEW BUSINESS:**

**Request for Waiver** – Block 20 Lot 11.01

Alex Mikos of Bohren & Bohren overviewed the waiver request for this 3 bedroom house on Mt. Airy-Harb. Road. There is no distance issue with the well as it is in back but the current septic is most likely a cesspool. The design plan is fully compliant except for the regional water table and is also subject to obtaining a GP25 from DEP permit due to wetlands.

**BOH RESOLUTION #12-2016**

WHEREAS, a septic system alteration request has been referred to the Township Board of Health for Block 20 Lot 11.01; and

WHEREAS, a waiver is requested for the following:

1. The regional water table has been determined to be 7 inches in soil logs 1 which is less than the maximum level allowed by code of 24 inches from existing grade. The design will still have a minimum of 48 inches of separation from the regional water table and the proposed level of infiltration.

WHEREAS, the design shows a mounded installation; and

WHEREAS, this is an alteration to a malfunctioning system with no expansion, the Board can consider approving the waiver request under 7:9A-3.3(e) 2i + ii, as the proposed alteration will be closer to being in conformance with this chapter

THEREFORE BE IT RESOLVED by the West Amwell Township Board of Health that the waiver requested in 1 above and listed in the County's letter of July 12, 2016 be granted

BE IT FURTHER RESOLVED, that the Board's approval is **conditioned** with the with the applicant obtaining a GP25 permit from NJDEP

BE IT FURTHER RESOLVED that this resolution be forwarded to the Hunterdon County Division of Public Health Services, the engineer of record, the West Amwell Township Construction Official and the applicant.

*The Resolution was unanimously approved on motion by Dale, seconded by Bergenfeld.*

**Request for Waiver** – Block 38 Lot 30 & 31

Design engineer, Gregg Barkley of G. Barkley came forward to review the particulars of this 3 bedroom property located on Jackson Street. The lot is .5 acre with the well in the front; however, there is no place on the lot that is 100 feet from the well, including the existing system. Of the two logs, the first was abandoned. The second one at 84 inches was a far better test; although, there was some water remaining at the end of the 8 hour day, which is fatal. He noted that it was the best that could be gotten and there is no other place to look. A waiver of the County's policy for the toe of the mound is also sought but there is no encroachment on anyone else. The well has only 7 feet of casing but the owner has installed an UV system and the water has tested okay. The house is for sale and is contingent on septic approval. A brief discussion ensued over alternate systems, e.g., peat, and what the break point for such would be. Mr. Barkley advised that there is particular standard, although if there is encroachment on a neighboring well, it would be a good reason as there's additional treatment. The decision for the specific type of alternate system is left with the engineer on a case-by-case basis as to what would work best.

**BOH RESOLUTION #13-2016**

WHEREAS, a septic system alteration request has been referred to the Township Board of Health for Block 38 Lots 30 + 31 for an existing 3 bedroom dwelling with no expansion; and

WHEREAS, the design meets all aspect of the code except that the following waivers and approvals will need to be acted on by the Board

1. There was no passing permeability testing obtained on the property. Engineer shall explain all of the test results and how this is the best design given the soil conditions encountered
2. The toe of the mound will be only 2 feet from the property line which does not meet the County policy of 10 feet. A note has been added to the plans stating the

3. engineer will inspect the grading to ensure all work is within the property lines and there is no increase in offsite water runoff.
4. The proposed disposal bed will be only 10 feet from the existing dwelling which does not meet the minimum separation of 25 feet by state code.
5. The proposed disposal bed will be only 76 feet from the existing well on the property which does not meet the minimum separation distance of 100 feet. As per 7:9A-4.3, distance can be reduced to 50 feet provided there is 50 feet of casing in the well. Sam Stothoff Well inspected the well and determined there is only 7 feet of casing. The owner has installed an ultra violet treatment (UV) and an ion exchange filter have been installed on the well. A resample conducted on the well on 5/25/16 showed there was no coliform present. Therefore, since there is treatment on the well, the Board can consider the waiver request.

WHEREAS, this is a malfunctioning system with no expansion, the Board can consider approving the waiver request under 7:9A-3.3(e) 2i + ii, as the proposed alteration will be closer to being in conformance with this chapter

THEREFORE BE IT RESOLVED by the West Amwell Township Board of Health that the waiver approval listed in #1 is hereby granted as the Engineer has explained the property conditions to the satisfaction of the Board; and

BE IT FURTHER RESOLVED that waiver #2 above is hereby granted as the design engineer will inspect the grading to ensure all work is within the property lines and that there will be no increase in offsite water runoff; and

BE IT FURTHER RESOLVED that approval of #5 above is hereby granted as an ultra violet treatment system has been installed on the well

BE IT FINALLY RESOLVED that this resolution be forwarded to the Hunterdon County Division of Health, the engineer of record and the applicant.

*The Resolution was unanimously approved on motion by Bergenfeld, seconded by Dale.*

**Request for Waiver** – Block 8 Lot 60

Engineer Barkley relayed that the existing septic is a cesspool, which is a non-compliant system on re-sale. The property is steep behind the building and the soil log behind the garage found a 60 inch refusal and 24 inches of shale. The only test applied was a basin flood and was non-conforming. Ground water was found in the front and the system is less than 100 feet from the well, which is shallow and has less than 50 feet of casing. Although not on the County's letter, a UV system is to be utilized. A waiver of the County's policy for toe of the slope is requested as the design does conform to DEP in this regard. There is no expansion or change of use involved with this design. A brief discussion transpired over well treatment and County permitting. Mr. Barkley also advised of information available to the public through a DEP data miner site, noting that nothing was found there for either of tonight's properties. He will provide the link for future reference.

BOH RESOLUTION #14-2016

WHEREAS, a septic system alteration request has been referred to the Township Board of Health for Block 8 Lots 60 for an existing 2 bedroom dwelling with no expansion; and

WHEREAS, the design meets all aspect of the code except that the following waivers and approvals will need to be acted on by the Board

6. The toe of the mound will be only 3 feet from the property line which does not meet the County policy of 10 feet. The engineer shall inspect the grading to ensure all work is within the property lines and there is no increase in offsite water runoff.
7. The proposed disposal bed will be approximately 51 feet from the existing well on the property which does not meet the minimum separation distance of 100 feet. As per 7:9A-4.3, distance can be reduced to 50 feet provided there is 50 feet of casing in the well. Sam Stothoff Well Company inspected the well on August 9, 2016 and determined there is only 11.9 feet of casing. The owner has offered to install an ultra violet treatment device on the well for added protection. Therefore, the Board can consider the waiver request with the requirement of a UV device being installed.

WHEREAS, this is a malfunctioning system with no expansion, the Board can consider approving the waiver request under 7:9A-3.3(e) 2i + ii, as the proposed alteration will be closer to being in conformance with this chapter

THEREFORE BE IT RESOLVED by the West Amwell Township Board of Health that the waiver approval listed in #1 is hereby granted as the design engineer will inspect the grading to ensure all work is within the property lines and that there will be no increase in offsite water runoff; and

BE IT FURTHER RESOLVED that approval of #2 above is hereby granted **conditioned** on the submission to the County Division of Health proof of the installation of an ultra violet treatment system and proof of potable water prior to construction permit

BE IT FINALLY RESOLVED that this resolution be forwarded to the Hunterdon County Division of Health, the engineer of record and the applicant.

*The Resolution was unanimously approved on motion by Bergenfeld, seconded by Dale.*

**Soil Test Witnessing Program** – Proposal & Next Steps

Mr. Bergenfeld relayed his experience with the current witnessing situation, noting that the person spent no more than 20 minutes at this property and he was later advised that the previous witness was on site the entire day. Mr. Bergenfeld stated that he doesn't agree with paying for service not received. The Board was in agreement that the Township's witness should be on site the whole day and record the findings independently. An extended exchange occurred over the need for options in the program and contact procedures.

A proposal was received from John Luyber for providing soil test witnessing for the Township at \$315.00/day. It was agreed to appoint Mr. Luyber for this work and to add him to the list for witnessing work, contingent on a \$300/day payment.

**BOH RESOLUTION #15-2016**

BE IT RESOLVED, that John Luyber of J. Luyber Services LLC, be offered soil test witness work for West Amwell's soil witnessing program, contingent on his agreement to \$300.00/day.

BE IT FURTHER RESOLVED, that if Mr. Luyber is agreeable to this fee for service, that he be added to the contact list.

*The Resolution was unanimously approved on motion by Rich, seconded by Bergenfeld.*

**BOH Registry Requirement for January 2017** – A letter was received from the NJ Department of Health requesting preparation be made to comply with the Public Health Practice Standards of Performance for Local Boards of Health in New Jersey. A list of information to be collected was provided that will be needed when preparing the annual report.

**UNFINISHED BUSINESS**

**Update on Salt Testing** – Discussion on the actual testing results was held for the October meeting and Mr. Kropp's insight on the numbers. However, a discussion on the cost of hauling brine transpired. The use of filter bags and a reclamation process was mentioned as a possibility for the RO system. It was noted that salt, unlike other particulates, is hard to remove and evaporation tanks would need to be set up. The bill for the every two week pump out lists 1000 gallons but this may be a standard charge. The actual size of the tank and the amount being pumped needs to be ascertained for the October meeting. It was suggested that perhaps in the meantime some Board members could check out the Morandi operation. Mr. Cally offered to be available and Mr. Mundhenk may join in. The Board secretary will coordinate with the homeowner. Affordable Pumping Services was contacted for a quote for hauling the brine. \$125.00 per pump can be saved over the current Russell Reid price. Once the pumping schedule is determined, APS will be brought in. Whether there are other options available to alleviate the ongoing expense with this property was held for discussion when Mr. Hart and Mr. Kropp are in attendance. The capping of the salt area on the DPW property was mentioned but there's no budget for it. DEP oversight of mitigation efforts was also noted. The property at 255 Mt. Airy-Harb. will be an agenda item for the October meeting.

**Outreach to Local Well Drillers** – Contact was made with local drillers concerning the availability of old well records. Tom Stover advised that well records from about 1975 back are sketchy at best. His is a 3<sup>rd</sup> generation operation and all their records are computerized; however, the older ones having interesting descriptions as to location. Mr. Stover also advised that 30 feet of casing was at best during that time period. A conversation with Dick Stothoff confirmed the 30 foot number and also mentioned that records are dependent on who was doing the drilling.

Mr. Cally noted support for a stance for having engineers do their due diligence on well casing length so as not to throw same unto the Board's lap for approval adjustments was a fair one. Checking the block/lot records to see if a well has the requisite amount of casing is a protection to the neighbors. Mr. Bergenfeld was not in favor of forcing a call or visit to DEP to get this information. Another agenda item for the October meeting

Mr. Cally inquired about a water testing program that was once offered. This was something done many years ago and organized by the Environmental Commission.

**ADMINISTRATIVE REPORTS:**  
Bill List for August 2016

BILL LIST  
August 25, 2016

DATE	VENDOR	AMOUNT PAID
June 15, 2016	Russell Reid (pump out)-2 Maser (STW)	\$ 662.18 \$4,020.00
July 20, 2016	Russell Reid (pump out)	\$ 331.50
August 17, 2016	Maser (STW) Russell Reid (pump out)	\$2,010.00 \$ 994.50

NOTE: The above invoices were received and paid from the BOH line item and are provided for informational purposes.

Soil Test Witness Report for June and July 2016

BOARD OF HEALTH  
SOIL WITNESSING REPORT  
Month of: June 2016

Tests Performed:

<u>Name</u>	<u>Block Lot</u>	<u>Address</u>
McConnell	52/4	12 Circle Drive

Monies Received and Deposited:	\$ 850.00
Fees Refunded:	\$ 0.00

BOARD OF HEALTH  
SOIL WITNESSING REPORT  
Month of: July 2016

Tests Performed:

<u>Name</u>	<u>Block Lot</u>	<u>Address</u>
Sassman	31/5	1 Barry Road
Cuonzo	8/34	76 Rocktown-Lamb. Rd
Rapchinski	8/19	53 Mill Road
Thompson	29/18.01	315 Goat Hill Road

Monies Received and Deposited:	\$ 5,035.00
Fees Refunded:	\$ 0.00

Website Review – n/a

The Administrative reports were received without comment or discussion.

**CLOSED SESSION & RESULTS:** N/A

**CORRESPONDENCE:**

The correspondence, as list on the Agenda, was order filed.

**DISCUSSION:**

None

**ADJOURNMENT:**

There being no further business before the Board, the meeting was unanimously adjourned at 9:14 p.m. on motion from Dale.

Respectfully submitted,

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Lora Olsen, Secretary

APPROVED: October 27, 2016