

**WEST AMWELL TOWNSHIP BOARD OF HEALTH
RE-ORGANIZATION & REGULAR MEETING
January 24, 2019 – 7:30 p.m.**

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

The meeting was called to order at 7:30 PM by Board Secretary, Maria Andrews. The meeting was declared in compliance with the Open Public Meetings Act as it was advertised as a reorganization meeting to be followed by a regular meeting in the December 13, 2018 issue of the Trenton Times and the Hunterdon County Democrat. Notice of the meeting has been continuously posted on the Township bulletin board. 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: Stephen Bergenfeld, John Dale, Ken Hart, Gary Hoyer, Rick Kropp, Zachary Rich, Brian Mundhenk and BOH Secretary Maria Andrews

Excused: Jim Cally and Denise Balog

APPOINTMENTS/OATHS OF OFFICE

Board Secretary/Township Clerk Maria Andrews administered the Oaths of Office to Stephen Bergenfeld, Kenneth Hart and Brian Mundhenk

NOMINATION OF CHAIR

Secretary Andrews called for nominations for the Board's Chair. A motion by Bergenfeld, seconded by Dale nominating Mr. Hart as the Board's Chairman was unanimously approved by voice vote.

The Board congratulated Mr. Hart and he took over the meeting at this time.

NOMINATION OF VICE CHAIR

Chairman Hart called for nominations for the Board's Vice Chair. A motion by Bergenfeld, seconded by Dale nominating Mr. Kropp as the Board's Vice Chairman was unanimously approved by voice vote.

BOH RESOLUTION #01-2019 DESIGNATING A MEETING SCHEDULE

BOH RESOLUTION #01-2019

BE IT RESOLVED by the West Amwell Township Board of Health that Board of Health meetings will be held on the following dates in 2019 at 7:30 PM:

January 24
March 28
May 23

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July 25

September 26

November 21 (**Third** Thurs. Due to the Holiday)

BE IT FURTHER RESOLVED that meetings of the Board of Health will be held at the Municipal Building, 150 Rocktown-Lamb. Road, Lambertville (West Amwell).

BE IT FURTHER RESOLVED that requests for agenda placement be received no later than one week prior to the scheduled meeting date.

BE IT FURTHER RESOLVED that all meetings will be held in compliance with the Open Public Meetings Act. The Board will not entertain requests for special meetings.

BE IT FURTHER RESOLVED that the Municipal Building is handicapped accessible but the Board Secretary's office is to be contacted 24 hours in advance for any special accommodations.

BE IT FINALLY RESOLVED that this Resolution shall be posted on the Township bulletin board and transmitted to the Hunterdon County Democrat and the Trenton Times within seven days of adoption.

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

BOH RESOLUTION #02-2019 ORGANIZATION OF THE MEETING

BOH RESOLUTION #02-2019

BE IT RESOLVED by the Board of Health of the Township of West Amwell, County of Hunterdon, State of New Jersey, that the Order of Business and the conducting of business at all meetings shall be as follows:

1. Call to order and statement of compliance with the Open Public Meetings Act
2. Presentation of Minutes
3. Agenda Review
4. Open to the Public/Topic not on the Agenda
5. Introduction of Ordinances and/or Public Hearing and/or Special Presentation
6. New Business
7. Unfinished Business
8. Administrative, including website review
9. Correspondence
10. Discussion
11. Adjournment

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

BOH RESOLUTION #03-2019 DESIGNATING THE OFFICIAL NEWSPAPER(S)

BOH RESOLUTION #03-2019

BE IT RESOLVED by the Board of Health of the Township of West Amwell, County of Hunterdon, State of New Jersey, that the Hunterdon County Democrat be established as the Official Newspaper and the Trenton Times is designated as the daily newspaper having the greatest likelihood of informing the public within the area of jurisdiction of the Township of its meetings.

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

BOH RESOLUTION #04-2019

WHEREAS, the West Amwell Township Committee awarded a non-fair and open contract for Township Attorney to Philip J. Faherty III of Hunt and Faherty; and,

WHEREAS, all members of the Township Committee serve on the Board of Health; and

WHEREAS, Attorney Faherty has agreed to serve as Board attorney, as needed, in accordance with the terms of the awarded contract; and,

THEREFORE, BE IT RESOLVED, by the West Amwell Township Board of Health, that the above mentioned individual be appointed Board of Health attorney for 2019.

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

PRESENTATION OF MINUTES

A motion by Dale, seconded by Hoyer to approve the Board's 12/27/18 special meeting minutes was approved by those eligible to vote on the matter with Mr. Kropp and Mr. Mundhenk abstaining.

A motion by Hoyer, seconded by Dale to approve the Board's 11/29/18 regular meeting minutes was approved by those eligible to vote on the matter with Ms. Balog and Mr. Kropp abstaining.

AGENDA REVIEW

No additions to the agenda were noted.

OPEN TO THE PUBLIC/TOPIC NOT ON THE AGENDA

No one came forward at this time.

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

None

NEW BUSINESS

Septic Alteration/Request for Waivers – Block 17 Lot 26

Present for the discussion was Engineer Gregg Barkley. He explained the application is for an alteration to the malfunctioning system which is currently servicing an existing 4 bedroom dwelling with no proposed expansion. The following items were noted:

The existing well will be approximately 75 feet from the proposed disposal field which does not meet the minimum 100 foot requirement. The Board waived the 100 foot requirement.

As per 7:9A-4.3, the 100 foot distance may be reduced to 50 feet provided there is 50 feet of casing in the well. Engineer Barkley testified there is no well record available to make this determination due to the age of the dwelling. It was noted in the past, in similar situations, the Board has conditioned the 100 foot waiver requirement upon the installation of an Ultra Violet (UV) treatment system. Engineer Barkley indicated a UV System has already been installed.

A motion by Kropp, seconded by Dale to approve the requested waivers was unanimously approved by voice vote.

Septic Alteration/Request for Waivers – Block 13 Lot 2

Present for the discussion was Engineer Craig Patterson. He explained the application is for an alteration to the malfunctioning system which is currently servicing an existing 3 bedroom dwelling with no proposed expansion. The following items were noted:

The existing well will be only 62 feet from the proposed disposal bed which does not meet the minimum 100 foot requirement. The Board waived the 100 foot requirement.

As per 7:9A-4.3, the 100 foot distance may be reduced to 50 feet provided there is 50 feet of casing in the well. Engineer Patterson testified there is no well record available to make this determination. In similar situations, the Board has conditioned the 100 foot waiver requirement upon the installation of an Ultra Violet (UV) treatment system. Engineer Patterson indicated a UV system will be installed.

A motion Kropp, seconded by Mundhenk to approve the requested waivers was unanimously approved by voice vote.

Septic System Flow Determination and Waiver Request – Block 8 Lot 38

Present for the discussion was Engineer Doug Fine and property owner Phil Muller. Engineer Fine explained the existing well is 86 feet from the proposed disposal bed which does not meet the minimum 100 foot requirement so they are requesting a waiver.

Additionally, it was noted the dwelling is an 11,000 sq. ft. home with 5 bedrooms and they have received a license from the State to convert it into an 11 bedroom Class C Boarding Home for the elderly. Engineer Fine explained NJDEP has requested the Township authorize the County to seek a flow determination.

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Several Board Members were surprised that no one was aware such a project was occurring within the Township. Mr. Muller noted congregate living facilities are expressly permitted in all residential zones in every municipality, which is a federal law, and he stated that he has received zoning permit approval from the Township's Zoning Officer. Engineer Fine clarified that because the project is for congregate living the State must approve the flow design. He remarked the home will still be considered a single family residential use under the Township's definition and it will be regulated and inspected annually through the Department of Community Affairs. Mr. Bergenfeld asked who their DCA contact is. Mr. Muller indicated Jay Raywood.

Mr. Bergenfeld asked if there will be individual leases for each resident and Mr. Muller said yes. He asked what the flow is currently and Mr. Muller said 800 gpd and clarified that the congregate living will increase the flow to 1900 gpd. The Board expressed concerns that the flow may actually be higher than 1900 gpd and suggested the application be tabled in order to give everyone more time to review the details.

It was noted that the next Township Committee meeting is 2/6/19. The suggestion was made to have a special meeting of the Board of Health/Township Committee since the Committee Members all serve on the Board of Health.

Chairman Hart suggested this matter be tabled to a special meeting of the Township Committee on 2/6/19. It was noted the Board Members were unanimously in favor.

Discussion: Pearson R/O System – email dated 1/8/19 from DPW Director Rollero

Present for the discussion were property owners Mike and Jan Pearson. They explained they currently have one reverse osmosis (R/O) system in their kitchen and noted they have not purchased the vanity to have the other R/O system installed in the bathroom. With regard to the filters, Mr. Pearson explained the Township has been buying the filters which are for sediment and have nothing to do with the actual salt issues.

Chairman Hart made reference to the last water tests that were conducted in December and noted the levels are within the state guidelines. He commented that if the sampling was done after the treatment then there is no proof that there is no contamination, just verification that the R/O system is working.

Since the Pearson's did not wish to purchase a vanity the Board stated they will conduct one more test in March 2019 and noted if the results are clear, then no further testing will be done and no additional R/O systems will be installed in the home through the Township. It was also noted that the Township will purchase filters for the remainder of 2019 and then discontinue this service since the filters have nothing to do with the prior salt contamination and are strictly for sediment. The Board believed the filters should be the Pearson's responsibility.

Discussion: Morandi R/O System

Present for the discussion was property owner Ed Morandi. He explained that the Jayson Company had come out and provided a quote for a whole house treatment system at a “point of use” which would cost approximately \$1250.00 but at the time there were other issues noted such as high iron levels and low Ph. That system would cost approximately \$4000.00. Mr. Morandi stated he did not have the funding at the time and explained the existing system is not costing the Township any money because he maintains it.

Mr. Bergenfeld asked when Mr. Morandi expects to install the system. He remarked this summer when they are hoping to be able to re-do their kitchen.

Chairman Hart asked that this matter be placed on the Board’s March agenda for a status update.

ADMINISTRATIVE REPORTS

Bill List for January 24, 2019

John Luyber

- | | |
|--------------------------------------|----------|
| 1. Soil Witnessing – Block 16 Lot 11 | \$300.00 |
| 2. Soil Witnessing – Block 17 Lot 26 | \$600.00 |
| 3. Soil Witnessing – Block 8 Lot 38 | \$600.00 |

Maser Consulting

- | | |
|--------------------------------------|----------|
| 1. Soil Witnessing – 314 Rock Rd. | \$670.00 |
| 2. Soil Witnessing – 23 Old York | \$670.00 |
| 3. Soil Witnessing – 7 Rocktown Hill | \$670.00 |

Eurofins

- | | |
|------------------|----------|
| 1. Water Testing | \$420.00 |
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A motion by Dale, seconded by Mundhenk to approve the vouchers for payment as listed on the bill list was unanimously approved by voice vote.

CORRESPONDENCE

Mr. Bergenfeld commented on the violation received from the County regarding a Rock Road East property. He noted the house was sold and the new owners weren’t aware they had to have an annual maintenance contract. He remarked he believes this matter has been rectified.

With regard to the violation received from the County on the Quick Chek property, the Board asked Secretary Andrews to follow up with the County Board of Health and confirm whether or not the property owner has addressed the required repairs.

ADJOURNMENT

There being no further business before the Board, the meeting was unanimously adjourned at 9:30 PM on motion from Bergenfeld and seconded by Dale.

Respectfully submitted,

Maria Andrews, Secretary

Approved: 3/28/19