

**WEST AMWELL TOWNSHIP BOARD OF HEALTH**  
**July 23, 2009**

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

The meeting was called to order at 7:35 p.m. and declared in compliance with the Open Public Meetings Act. Notice of this meeting was included in the Resolution faxed to the Lambertville Beacon, Hunterdon County Democrat and Trenton Times on January 17, 2009, 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: William J. Corboy, Frank P. Masterson III, Tom Molnar, Rick Kropp, Ken Hart and Robyn Myhre. Excused: Bruce Nadelson.

Public in attendance included , Craig Patterson, Alex Mikos, Eileen Kaluzny, Maureen and Victor Garzoni, John Cronic, Wojciech Bochenek

**PRESENTATION OF MINUTES**

The minutes of the July 23, 2009 meeting were approved, with minor correction, on motion from Molnar, seconded by Masterson. Roll Call: Myher-aye, Kropp-aye, Hart-abstain, Molnar-aye, Masterson-abstain, Corboy-aye.

**AGENDA REVIEW –**

An interpretation for a pending subdivision was added to New Business.

**OPEN TO THE PUBLIC/TOPIC NOT ON THE AGENDA – none**

**NEW BUSINESS:**

Septic System Waiver Request – Block 49 Lot 5 –

Craig Patterson, of Septics by Patterson, relayed that the proposed is an alteration to a malfunctioning system. The lot is small, only 100' x 200'. Soil logs were taken in the back of the property and the pit bail test revealed a high water table. The client is interested in a peat system to reduce the size of the mound as well as to help with the water table/mottling issue. Mr. Patterson stated that he has designed other such systems and the resulting product is 90% clean. Although he had no local test data to offer, the State approved the use of peat systems in 2004. He offered that he likes them and that the pre-treatment that they offer is a plus. With a peat system, there's a contract with the manufacturer who has to maintain it. There's usually a minimum of a one time per year inspection to check on the unit and the status of the peat. The peat is also changed every 5 years unless there's a problem. Mr. Patterson noted that the neighboring property has a peat system and that no smell was noticed and the area is nicely landscaped. The auto dialer system that will be added to the system contacts the contractor should there be a problem with the pump in the second tank. A deed restriction is placed on the property for the benefit of future owners.

The secretary was requested to check on how this latter stipulation is verified.

BOH RESOLUTION #09-2009

WHEREAS, a septic system alteration request has been referred to the Township Board of Health for Block 49 Lot 5; and

WHEREAS, the proposed alteration will utilize new technology which incorporates 1 Eco-Flo Peat unit, technology that has been approved by the DEP; and

WHEREAS, County Health Department letter of July 20, 2009 states that the following waivers or recommendations be acted on by the Board:

1. The use of the Eco-Flo peat moss system technology
2. That a deed restriction be placed on the property indicating that annual maintenance of the property and type of technologies used be performed
3. Proof of the maintenance contract and reports on the monitoring shall be provided by the property owner to the Board and the County
4. A maintenance agreement shall be provided to the owner and kept with the house
5. This is an alteration to correct a malfunctioning system and the granting of these waivers or approval of the Eco-Flo peat moss system, West Amwell Township and Hunterdon County Health Department assumes no responsibility for the system and shall be held harmless
6. The design engineer and manufacturer shall inspect the system and provide certification to the Board and County
7. The engineer shall provide copies of the plan to the DEP for their files
8. The contractor installing the system shall be trained and certified by the manufacturer and will provide a copy of said certification to the County Health Department
9. The use of an auto dialer for the new system is a new requirement and the manufacturer will be installing a new panel to incorporate this
10. The septic tank and pump tank shall have a water tightness test conducted by the design engineer

WHEREAS, the West Amwell Township Board of Health concurs and approves waivers and/or recommendations in 1 through 10 above; and

THEREFORE BE IT RESOLVED by the West Amwell Township Board of Health that the use of the alternative technology described herein is approved for use on Block 49 Lot 5 in line with the parameters stated.

BE IT FURTHER RESOLVED that the date of annual monitoring be set for one (1) year

from installation and no later than two (2) years from approval.

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

Kropp motioned to approve the Resolution and Hart seconded. Roll Call: Kropp-aye, Hart-aye, Molnar-aye, Masterson-aye, Corboy-aye

BOH RESOLUTION #10-2009

WHEREAS, a septic system alteration request has been referred to the Township Board of Health for Block 49 Lot 5; and

WHEREAS, the regional water table is at 13 inches in soil log B which is higher than the maximum of 24 inches required by code; and

WHEREAS, the toe of the mound does not meet the County's policy of 10 feet; and

WHEREAS, the design engineer shall state on the plans that he will inspect all grading and certify that same has been done on site and has not led to any off site water problems; and

WHEREAS, this is an alteration to a malfunctioning system with no expansion

THEREFORE BE IT RESOLVED by the West Amwell Township Board of Health that the following waivers outlined in the County's July 20, 2009 letter be granted:

- 1) regional water table relief
- 2) toe of mound to property line

BE IT FURTHER RESOLVED, that a waiver for reserve testing is not required as this is an alteration, repair or replacement of a malfunctioning system with no expansion (BOH Ordinance 1, 2006)

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

Kropp motioned to approve the Resolution and Hart seconded. Roll Call: Kropp-aye, Hart-aye, Molnar-aye, Masterson-aye, Corboy-aye

Use of Interior Grease Traps for Block 36 Lot 1 –

John Cronic and Wojciech Bochenek came forward. Mr. Bochenek relayed that they are trying to obtain final approval from the County but new exterior grease traps are now

required for commercial establishments. He approached Mr. Cronic due to his previous experience with the property and was advised that there is not sufficient space for installation of external traps. The property currently has internal ones. He contacted Aaron's who suggested the Endura system be used, a system that is used by MacDonald's, and requested consideration by the Board. Mr. Cronic stated that a new traffic bearing septic tank was recently installed with the full knowledge of County Health. A letter was subsequently received concerning the exterior grease trap requirement. There is now not enough room between the patio and the parking area to install an exterior grease trap unless the patio is torn out. Mr. Cronic spoke with Jim Gallos of Hunterdon County Health who advised that only the local board could waive the exterior trap requirement.

The Board was provided with information on the Endura system for review. Concern was expressed that no letter was provided by the County to the Board for this request. The secretary relayed that she spoke with Mr. Gallos who stated that the applicant should provide information as to hardship concerning the location. If a waiver is granted and the trap fails, an exterior trap must be installed. The Board questioned the number of sinks to handled (2-3) by the Endura traps and the anticipated management schedule. Mr. Bochenek indicated that with the intensive use anticipated, a schedule of once every 1 ½ months would be required. The facility will include a diner and bakery and the owners are working on obtaining a liquor license.

#### BOH RESOLUTION #11-2009

WHEREAS, N.J.A.C. 7:9A-8.1 states that restaurants, cafeterias, institutional kitchens and other installations discharging large quantities of grease shall use a grease trap; and

WHEREAS, the grease trap shall be installed in a separate line serving that part of the plumbing system into which the grease will be discharged; and

WHEREAS, the grease trap shall be located close to the source of the wastewater, where the wastewater is still hot, to facilitate separation; and

WHEREAS, grease traps shall be located, designed and constructed in a manner that will permit easy access and cleaning; and

WHEREAS, the owner of Block 36 Lot 1 has requested that the property currently known as "Buddies" be permitted to continue to operate using interior grease traps; and

WHEREAS, John Cronic of Cronic Excavating has testified that there is not sufficient room to install an exterior grease trap; and

WHEREAS, as a Administrative Authority, the West Amwell Township Board of Health is permitted to waive the requirement for an outside grease trap; and

WHEREAS, the owner of Block 36 Lot 1 has provided sufficient information as to hardship concerning location of an outside grease trap

THEREFORE BE IT RESOLVED, by the West Amwell Township Board of Health that the request is hereby granted **conditioned** on the following:

- 1) if the new Endura (or equivalent) grease traps fail, an exterior trap **must** be installed
- 2) that any new septic installation to support the facility must meet 7:9A-8.2 unless a waiver is requested and granted by this Board.
- 3) all other requirements by Hunterdon County Health Department must be addressed as per letter of June 22, 2009

Hart motioned to approve the Resolution for the use of interior grease traps for Buddies and Kropp seconded. Roll Call: Kropp-aye, Hart-aye, Molnar-aye, Masterson-aye, Corboy-aye

Interpretation of Pending Subdivision –

Alex Mikos of Goldenbaum-Baill approached the Board concerning a subdivision currently in front of the Planning Board. This is a minor subdivision of Block 19 Lot 11 that would remove the existing house from the parcel and deed restrict the remaining 30 acres, reserving a 2/3 acre floating exception. This floating exception area would be defined if, and when, the decision is to build. Any building on the restricted property in the future would have to meet all building requirements in place at that time and if these cannot be met, nothing will be built. Mrs. Kaluzny is offering the township preserved farmland in exchange for a separate lot for her daughter.

The Planning Board required that testing for a reserve area be undertaken for the existing residence prior to any subdivision approval, which has been accomplished. However, the testing revealed a high water table and wetlands near the pond, so the Planning Board is requiring a waiver from the Board of Health. It is not normal procedure for the Board to grant a waiver for a high water table with no design; hence, this request for an interpretation. Mr. Mikos also noted that this is an unusual request in that other waivers may be required in the future if a repair is needed, although permeability has been proven and a second area has been identified.

Board discussion ensued over the requirements of the septic ordinance and lands remaining and a determination made that there was no problem with the exception area and that septic issues will be addressed at the time of future construction.

**BOH RESOLUTION #12-2009**

BE IT RESOLVED by the West Amwell Township Board of Health that the Board approves the subdivision of Block 19 Lot 11 at this time without the need to specify a reserve area for proposed lot and residence on proposed lot 11.03; and

BE IT FURTHER RESOLVED that at the point when a determination of location of the exception area on Block 19 Lot 11, remaining lands, all requirements of the septic ordinance must be met.

Corboy motioned to approve the Resolution and Molnar seconded. Roll Call: Kropp-aye, Hart-aye, Molnar-aye, Masterson-aye, Corboy-aye

**INTRODUCTION OF ORDINANCES AND/OR PUBLIC HEARING AND/OR SPECIAL PRESENTATION:** none

**UNFINISHED BUSINESS:**

Septic Maintenance Ordinance, continued discussion

A model ordinance was provided by Rick Kropp but his advice is to wait until there is evidence of a problem before rushing for a solution. Nitrate violations are not being found in local wells and there's no point in pursuing a non-existent problem. It was noted that to administer a program like that under consideration, a full time person would be needed.

**ADMINISTRATIVE REPORTS:**

Bill List for June and July 2009 –

**BILL LIST**  
July 23, 2009

DATE	VENDOR	AMOUNT PAID
6/17/2009	Sadat Associates	\$ 204.60
	Russell Reid, Inc.	\$ 1,141.80
	Enviro-Process	\$ 2,250.00
	Mt. Holly MUA	\$ 112.24
7/15/2009	Sadat Associates, Inc	\$ 918.53
	QC Laboratories, Inc	\$ 199.00
	James P. Chalupa	\$ 360.00

NOTE: The above invoices were received and paid from the BOH line item through July 15, 2009 and are provided for informational purposes.

Soil Test Witness Reports for April and May 2009 –

BOARD OF HEALTH  
SOIL WITNESSING REPORT  
Month of: June 2009

Tests Performed:

<u>Name</u>	<u>Block Lot</u>	<u>Address</u>
NONE		

Monies Received and Deposited:	\$ ---
Fees Refunded:	\$ ---

BOARD OF HEALTH  
SOIL WITNESSING REPORT  
Month of: July 2009

Tests Performed:

<u>Name</u>	<u>Block Lot</u>	<u>Address</u>
Crum/Messick	49/5	13 Circle Drive

Monies Received and Deposited:	\$ 700.00
Fees Refunded:	\$ ---

The Administrative Reports were unanimously accepted as presented.

**CLOSED SESSION & RESULTS, IF ANY:**

**CORRESPONDENCE:**

The following items were received from the **Hunterdon County Health Dept.:**

- The retail food establishment spot check for WAT **Farmers Market** conducted on May 9, 2009 was satisfactory.
- A complaint concerning a **pig farm** and terrible odor coming from 5 Hunter Road was investigated and no detectable odors discerned.
- A new **Construction Permit Referral** form is now in effect. This has expanded to a three page form that includes confirmation of the number of bedrooms and a demolition application.
- **Pine Creek Miniature Golf** received a satisfactory evaluation on a recent sanitary inspection.
- A septic repair for **Block 12 Lot 45** involved a new 1000 gallon tank, baffle and riser, as well as connecting line.
- New guidelines are in effect for **animal facility licensure**.

- NJ LINCS provided information on various health issues such as Influenza-Like-Illness (LIL), Novel Influenza A (H1N1), municipal Animal Control FAQ, and Legionellosis in NJ.

**Hunterdon Christian Academy** submitted their water use totals for May and June 2009 with a note that the school is now closed and there will be no further reports.

A copy of the current List of Licensed Kennels, Pet Shops, Shelters and Pounds as submitted to the state was provided by the ACO in compliance with the new guidelines request.

**DISCUSSION:** none

**ADJOURNMENT:**

There being no further business before the Board, the meeting was unanimously adjourned at 8:50 p.m. on motion from Kropp, seconded by Molnar.

Respectfully submitted,

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Lora Olsen, Secretary