

WEST AMWELL TOWNSHIP BOARD OF HEALTH

March 25, 2010 – 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. 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 29, 2010, 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: Thomas J. Molnar, Frank P. Masterson III, George Fisher, Wendy Williams, Jim Cally. Ken Hart and Rick Kropp were excused. Public in attendance included Elyse Herman, Ryan Warford, Kyle Kilmer

Neither the chair nor vice-chair was able to be present. Attorney Faherty was contacted prior to the meeting and relayed that the Board secretary could follow the agenda as long as a quorum of the Board was present. Ms. Williams and Mr. Cally are full voting members this evening.

PRESENTATION OF MINUTES

The minutes of the December 17, 2009 meeting were held. The January 28, 2010 Re-organization and Regular meeting were approved on motion by Fisher, seconded by Masterson. All members present voting aye with Cally abstaining.

AGENDA REVIEW

Nothing was added.

OPEN TO THE PUBLIC/TOPIC NOT ON THE AGENDA

Opened and closed with no comments received.

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

Introduction: BOH Ordinance 1, 2010

The following ordinance was read by title and introduced on first reading:

AN ORDINANCE TO AMEND BOH ORDINANCE 1, 2009 CREATING AND ESTABLISHING THE OPERATION OF A FARMERS MARKET IN THE TOWNSHIP OF WEST AMWELL, COUNTY OF HUNTERDON

Be it ordained by the West Amwell Board of Health that following amendments be made to BOH Ordinance 2, 2009

Section 1.

3. Definition

“...The Farmers Market shall be located on municipally-owned property or on private property within West Amwell Township...”

8. Rules of Operation

B. Markets hours shall be determined by the Farmers Market Committee, in consultation with the West Amwell Township Committee, and located on municipally-owned property or on private property within West Amwell Township.

11. Vendor Fees

“The West Amwell Farmers Market Committee shall charge each vendor a fee per space per week or in advance for the season. Vendor fees shall be determined by the Farmers Market Committee, in consultation with the West Amwell Township Committee....”

Section 2.

All ordinances or portions of ordinances which are inconsistent with this Ordinance shall be repealed as to their inconsistencies only.

Section 3.

If any section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged by the Courts to be invalid, such adjudication shall apply only to the section, paragraph, subsection, clause or provision so adjudged and the remainder of this Ordinance shall be deemed valid and effective.

Section 4.

This Ordinance shall take effect thirty (30) days after its first publication in accordance with N.J.S.A. 26:3-69

Williams questioned the vendor fees section. She was advised that these fees will be on the yearly application form and increases approved in consultation with the Township Committee.

Cally motioned to introduce on first reading and Masterson seconded. Roll Call: Cally-aye; Williams-abstain, Fisher-abstain; Masterson-aye, Molnar-aye. The public hearing will be held May 20th.

NEW BUSINESS:

Request for Waivers – Block 8 Lots 13, 14, 15 & 53 – It was relayed that the Zoning Board has approved the application for lot line adjustment pending Board of Health review. Elyse Herman of Pellettieri Rabstein and Altman stated that she represents Kyle Kilmer who filed the Zoning Board application. Accompanying her was Ryan Warford of Bohren & Bohren. It was explained that the lot line adjustment is tied to a contract for the purchase of a conservation easement. Mr. Warford presented a map showing the new lot configurations. The size of lot 13, the one with the existing house and kennel, will be tripled. Lots 15 and 53 will be combined with the current flag stem moved. A 4-acre exception area on lot 14 received passing soil testing. A waiver for septic and well location on adjoining lots is sought as there are no dwellings within the area in question, only open farm fields.

BOH RESOLUTION #05-2010

WHEREAS, Block 8 Lot 13, 14, 15 and 53 are the subject of a merger and/or lot line adjustment resulting in a new Lot 13 & 14; and

WHEREAS, the applicant is requesting a waiver from providing reserve septic field testing on proposed new Lot 13, and documentation relating to the functioning of the existing septic field, as the existing septic field was installed in 2000 in conjunction with an use variance and expansion of the kennel business and conformed with all requirements set forth at the time; and

WHEREAS, the applicant is also requesting a waiver from providing well and septic location on adjoining properties due to lack of impact on said properties with the added buffer through existing lot enlargement; and

WHEREAS, new Lot 13 will increase by 2.7 acres and new Lot 14 is part of a Green Acres project

THEREFORE BE IT RESOLVED, by the West Amwell Township Board of Health that the Board approves the requested waiver for reserve septic field testing on existing Block 8 Lot 13 due to the increase in size of said current lot after the lot line adjustment. There is an existing dwelling with a septic system installed in 2000 in place and documentation as to its functioning is also waived

BE IT FURTHER RESOLVED that the waiver concerning well and septic location on adjoining properties is granted as the lot line adjustments are not impacting any adjoining properties and increases the current

buffer through the enlargement of the existing lots

BE IT FURTHER RESOLVED that at the point when a determination of location of a dwelling unit is made on Block 8 new Lot 14, that all requirements of the septic ordinance must be met.

Williams motioned to approve the Resolution and Cally seconded. Roll Call: Cally-aye, Williams-aye, Fisher-abstain, Masterson-aye, Molnar-aye

County Septic System Inventory Database – The County Health Department has been accumulating a database inventory of septic systems since 1993 which is updated whenever a new, alteration or repair permit is applied for. The information is being made available for distribution to municipalities. If requested, the information will be sent as an Excel file on a CD that will provide owner name, address, type of septic and number of bedrooms. The Board questioned how this information would be updated and the secretary will inquire. It was generally agreed that this would at least be data to build on as regulation will increase. A copy will be requested.

Training Video for Volunteers – The law requires any volunteer in a managerial or supervisory position to attend a seminar on 'The Rights and Duties of a Volunteer in Local Government.' The law also requires that the training be made available to all other volunteers. The Board members were requested to access the video on line and then complete, sign and return the attendance sheet.

UNFINISHED BUSINESS

Lead Poison Prevention Ordinance – It was the consensus of the Board that this is more of a problem in cities where lead paint in older buildings has to be abated. Lead in the water is more likely to be found here than lead paint. Therefore, the focus is wrong for West Amwell. No further action.

ADMINISTRATIVE REPORTS:

Bill List for January and February 2010 -

BILL LIST
March 25, 2010

DATE	VENDOR	AMOUNT PAID
1/6/10	---	---
2/3/10	NJN Publishing	\$ 21.48
	Princeton Packet	\$ 18.91
	James P. Chalupa	\$200.00
3/3/10	---	---

NOTE: The above invoices were received and paid from the BOH line item through March 25, 2010 and are provided for informational purposes.

Soil Test Witness Reports for January and February 2010 –

BOARD OF HEALTH
SOIL WITNESSING REPORT
Month of: January-February-March 2010

Tests Performed:

<u>Name</u>	<u>Block Lot</u>	<u>Address</u>
Mostofizodeh	21/12	438 Route 31 N
Foran	7/16.02	56 Frontage Road

Monies Received and Deposited: \$ 1050.00

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.:**

- SHRHS, West Amwell Elementary School & ESC received either conditionally satisfactory or satisfactory evaluations on their Sanitary Inspection Reports for February.
- A follow-up Retail Food Establishment Spot Check for SHRHS showed abatement of previously detected rodent activity.
- Animal Control Information and Animal Bite Quarantine Procedures relating to the proper completion of the form were received. A conference call with local ACO's was conducted on February 24th.
- A packet of information on State Pesticide Control Regulations for Mosquito Control Programs was received as required per NJAC Title 7 Chapter 30
- The Inspection Report of Kennels, Pet Shops, Shelters and Pounds for Pierson Creek Kennels noted that the facility was very clean.
- NJ LINCS provided information on a Gastrointestinal Illness Outbreak; the Ongoing Mumps Outbreak; Confirmed Case of Mumps in Hunterdon County; and Confirmed Case of Meningococcal Disease. Also received were updates on Influenza-Like-Illness Activity MMWR through March 13th.

The **Hunterdon County Planning Board** is offering a CD of the County's Septic System Inventory Database to all interested municipalities upon request.

The **ACO** has remitted the Monthly Dog License Report for December 2009, January & February 2010. No money was remitted for December; \$496.80 was remitted in January; and \$88.80 in February.

The **Stony Brook Millstone Watershed Association** provided a copy of their *State of the Watershed 2010* report.

DISCUSSION:

Mr. Cally and Ms. Williams spoke about the watershed report received from Stony Brook Millstone Watershed Association. The report speaks about the quality of the streams and the presence of E.coli but information on non-point run off that feeds the streams was lacking. It is not clear from the report where the E.coli comes from as presence doesn't indicate source and there is no data included. This report also drew considerable discussion at the Environmental meeting according to Ms. Williams. It was generally felt that this is a scare tactic and that real numbers can only be achieved through testing over time. Also noted was that septs are not the only source of E.coli and that seasonal run off could skew results. Ms. Williams relayed that Cathy Urbanski and Jeff Slowick of the Environmental Commission will try to obtain the data and testing methods used.

Board members Fisher, Williams and Cally attended the recent County meeting for Board of Health members. They found the presentation to be worthwhile and interesting.

The rodent problem at South was mentioned and that monitoring was being done.

ADJOURNMENT:

There being no further business before the Board, the meeting was unanimously adjourned at 8:35 p.m. on motion from Fisher, seconded by Masterson.

Respectfully submitted,

Lora Olsen, Secretary