

**WEST AMWELL TOWNSHIP BOARD OF HEALTH**  
**May 28, 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, Tom Molnar, Rick Kropp, and Robyn Myhre. Excused: Frank P. Masterson III, Ken Hart. Absent: Bruce Nadelson. Ms. Myhre will be full voting member this evening.

Public in attendance included Robert Zederbaum of RBZ and Susan Fry

**PRESENTATION OF MINUTES**

The minutes of the March 26, 2009 meeting were approved, with minor correction, on motion from Molnar, seconded by Corboy. Roll Call: Myher-aye, Kropp-abstain, Molnar-aye, Corboy-aye. The April 21, 2009 special meeting minutes were approved on motion from Molnar, seconded by Kropp. Roll Call: Myhre-abstain, Kropp-aye, Molnar-aye, Corboy-aye

**AGENDA REVIEW - none**

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

*The order of business was changed at this point in the meeting..*

**NEW BUSINESS:**

Septic System Waiver Request – Block 30 Lot 19 – Robert Zederbaum of RBZ came forward as the engineer of record and introduced Susan Fry, the POA for Bette Benedict. Mr. Zederbaum relayed that the house needs to be sold to pay for Ms. Benedict's care and during a home inspection, the septic failed. The system is old and there are no records but it is time to upgrade. He checked the Code concerning reserve and alteration to systems and found that this was not needed. This was also confirmed with the soil test witness. However, the County said that the ordinance had been updated and this testing was required. The Board confirmed that a reserve for a repair/alteration is not required. Mr. Zederbaum continued that the designed was approved by the County and that there will be a 4 foot separation but there's mottling within the 24 inch range which needs a waiver. The proposed is a rather large mounded system but will fit into the topographical features of the lot. If any of the existing bed is encountered, it will be buried on site. The closest well is 100 feet away and is the one belonging to the property.

BOH RESOLUTION #08-2009

WHEREAS, a septic system alteration request has been referred to the Township Board of Health for Block 30 Lot 19; and

WHEREAS, waivers and approvals are requested for the following:

1. There is no reserve testing performed on the property.
2. The highest regional water table was established at 17 inches in soil log 2 which is less than the maximum 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 proposed level of infiltration

WHEREAS, BOH Ordinance 1, 2006 exempted the alteration, repair or replacement of a malfunctioning system with no expansion; and

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(d) 2 as the proposed alteration is more in conformance with this chapter than the original components prior to the alteration

THEREFORE BE IT RESOLVED by the West Amwell Township Board of Health that the waiver requested in #2 above and listed in the County's letter of May 6, 2009 be granted

BE IT FURTHER RESOLVED that a waiver is not needed for #1 above as no reserve is required

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 as Molnar seconded. Roll Call: Myhre-aye, Kropp-aye, Molnar-aye, Corboy-aye

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

Ron Shapella re: NJDEP Septic Maintenance Regulations –

Mr. Shapella briefed the Board on the recent meeting held at the County concerning a

required septic ordinance per the State's new Waste Quality Management Plan. These new wastewater rules mandate a septic ordinance that includes, at the minimum, pumping and maintenance. Enforcement would be through the local health department, as the County has no ability to do so and that existing systems would be grandfathered unless a repair is needed. Property owners would have to report to the municipality that their septic has been pumped at a time frame still to be determined and a fee would be assessed for administration. The County plans to have some guidance for municipalities soon as a municipal ordinance is required this year. He also noted that the County may take action as this is an unfunded mandate.

A brief discussion ensued, with Mr. Kropp advising that water quality management plans were for sewer extension purposes where nitrates were involved and noted this mandate appears to be a solution to a problem that doesn't exist here. The following suggestions will be forwarded to the County: 1) apply the regulations only where a problem has been identified through the Private Well Testing Act; 2) that DEP appears to be waiting to see what reaction there will be and that the County should not move quickly as this will be an onerous task on the municipality; and, 3) if implemented, there should be an incentive, such as "seal of approval" that a home has met the requirements by having had its septic tank pumped and maintained, which would become useful when a home is sold.

**UNFINISHED BUSINESS:** none

**ADMINISTRATIVE REPORTS:**

Bill List for April and May 2009 –

BILL LIST  
May 28, 2009

DATE	VENDOR	AMOUNT PAID
4/1/2009	Princeton Packet	\$ 222.58
	Mt. Holly MUA	\$ 59.28
	Russell Reid	\$2,671.59
4/15/2009	Enviro-Process	\$1,470.60
	Mt. Holly MUA	\$ 68.10
	Sadat Associates	\$ 131.25
5/6/2009	Princeton Packet	\$ 24.80
	Cty of Hunterdon	\$ 600.00
	Mt. Holly MUA	\$ 71.24
	Russell Reid	\$ 380.28

Kel-Tren Water Care	\$1,125.00
QC Labs	\$ 199.00
Russell Reid	\$ 380.28
Sadat Associates	\$1,494.10
James P. Chalupa	\$ 360.00

5/20/2009	James P. Chalupa	\$ 720.00
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NOTE: The above invoices were received and paid from the BOH line item from April 1, 2009 through May 20, 2009 and are provided for informational purposes.

Soil Test Witness Reports for April and May 2009 –

BOARD OF HEALTH  
SOIL WITNESSING REPORT  
Month of: April 2009

Tests Performed:

<u>Name</u>	<u>Block Lot</u>	<u>Address</u>
Brown	20/8.01	322 Rock Road East
Comly	31/12.01	34 Barry Road
Frey/Benedict	30/19	681 Brunswick Pike

Monies Received and Deposited:	\$ 2100.00
Fees Refunded:	\$ 0.00

BOARD OF HEALTH  
SOIL WITNESSING REPORT  
Month of: May 2009

Tests Performed:

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

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

The Administrative Reports were unanimously approved on motion from Molnar, seconded by Kropp.

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

**CORRESPONDENCE:**

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

- The Sanitary Inspection Reports for **West Amwell Fire House & Village Deli** were satisfactory.
- **Pierson Creek Kennels** received a satisfactory rating on its annual inspection.
- The septic repair on **Block 26 Lot 21** and involved the destruction of both 50+ year old structures on the property and the cast iron pipe to the box was replaced on **Block 13 Lot 38**.
- Information regarding the **Mosquito Control Program** was provided as per requirements of the state Pesticide Control Regulation, NJAC Title 7 Chapter 30.
- NJ LINCS provided information on various health issues such as Influenza-Like-Illness (LIL), Swine Flu (H1N1 Virus), the Animal Control Officer course, a restriction on the availability of human Rabies vaccine, Haemophilus Influenzae type B (Hib) vaccine shortage & wavier guidelines for children, and that Varicella disease (chicken pox) is a reportable disease as per NJAC 8:57 effective April 2009.

**Hunterdon Christian Academy** submitted their water use totals for April.

**ACO** monthly Dog License Reports for March & April 2009 show 64 and 13 licenses issued, respectively.

A note of appreciation was received from **Mary Ann Brown** for the Board's assistance with her recent septic waiver.

**DISCUSSION:** none

**ADJOURNMENT:**

There being no further business before the Board, the meeting was unanimously adjourned at 8:25 p.m. on motion from Molnar, seconded by Kropp.

Respectfully submitted,

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Lora Olsen, Secretary