

**WEST AMWELL TOWNSHIP BOARD OF HEALTH**  
**May 22, 2014 – 7:30 p.m.**

The West Amwell Township Board of Health met on the above date and called to order at 7:36 p.m.

Present: Richard Kropp, Ken Hart, Zach Rich, George Fisher, Jim Cally, Brian Mundhenk and Lora Olsen. Absent: John Dale. Public in attendance included Bill Jupinka of Bayer-Risse.

The oath of office was administered to Zach Rich.

Chair Kropp 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 24, 2014, 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.

**PRESENTATION OF MINUTES**

The meeting of the January 23, 2014 Re-organization & Regular (Kropp, Hart, Fisher, Cally, Mundhenk) were approved on motion from Fisher, seconded by Hart. Roll Call: Mundhenk-aye; Cally-aye; Fisher-aye; Rich-abstain; Hart-aye; Kropp-aye

**AGENDA REVIEW**

Nothing was added.

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

No one came forward

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

None

**NEW BUSINESS:**

Waiver Request – Block 13 Lot 68

Bill Jupinka of Bayer-Risee Engineering reviewed the situation on the lot, including the existing plastic tank, clay tile laterals, and the 'overflow' to the stream and that there was a cesspool at one time. The lot is small with little room for relocation. The well is under the Bilco doors but no information is available about depth or casing, except that the well is in solid rock and a UV system is in place. The distance from well to new septic has been increased. Mr. Jupinka also explained why the testing ran over the 24 hour requirement period.

**BOH RESOLUTION #06-2014**

WHEREAS, the County Department of Health has reviewed a design to correct a malfunctioning septic system with no expansion for Block 13 Lot 68; and

WHEREAS, the County Department of Health has indicated that the proposed design conforms to all aspects of NJAC 7:9A with the following exceptions that will need to be acted on by the Township Board of Health.

1) The proposed disposal bed will be only 56 feet from the existing well on the property which does not meet the minimum 100 foot setback requirement. As per 7:9A-4.3, the distance can be reduced to 50 feet provided there is 50 feet of casing. In this case, the existing well has an Ultra violet treatment device on the well to treat for coliform bacteria contamination. A recent water test on the well showed no bacteria contamination. Therefore, since there is treatment on the well and recent water test showed no bacteria contamination, the Board can consider the distance waiver.

2) The Basin flood test showed the 2<sup>nd</sup> reading was taken over the maximum of 24 hours by code. The engineer shall explain the testing and why the reading was past the maximum 24 hour limit. Based on the prior filling and readings there does not appear to be a lack of permeability and the County does not have an issues with the test results.

WHEREAS, the Board of Health has reviewed the exceptions and the testimony of the design engineer concerning #1 and #2 above; and

WHEREAS this is an alteration to a malfunctioning system with no expansion and the proposed alteration is in more conformance to 7:9A-3.3(e) 2 i+ii with the requirements of the chapter

THEREFORE BE IT RESOLVED that the distance waiver in Item #1 above be granted due to the presence of the Ultra violet treatment device and recent water test results

BE IT FURTHER RESOLVED that the waiver requested for #2 as outlined in the County's April 14, 2014 letter and further explained by the engineer to the satisfaction of the Board also be granted

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

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

Aerobic System – Block 50 Lot 5

Bill Jupinka of Bayer-Risse relayed that this is a malfunctioning system being replaced with infiltrators. There only one spot on the property to locate a new system as the well is in the back yard. To limit the height of mound, the system will employ a 3 chamber tank for treatment. Questioned as to why a peat system was not used, Mr. Jupinka explained that the aerobic system is cheaper, requires less maintenance to components and lids, although the tanks require filters. The proposed system meets Code; is allowed per New Jersey rules; and, can be approved at the County level. A deed restriction and maintenance agreement is required. The installation will be made by John Martin Excavating. As interest was expressed in viewing the installation, Mr. Jupinka will advise when activity commences.

BOH RESOLUTION #07-2014

WHEREAS, a septic system alteration request has been referred to the Township Board of Health for Block 50 Lot 5 for an existing 3 bedroom dwelling with no expansion; and

WHEREAS, the use of an advanced technology system called the Hoot Aerobic treatment unit has been incorporated into the design; and

WHEREAS, this advanced treatment device is a new alternative technology that has been approved by the DEP, which has provided a revised guidance document dated January 2008 to be used by the local Board of Health when reviewing these plans; and,

WHEREAS, 7:9A was revised on April 2, 2012 and incorporated the aerobic systems in the code and now are not considered alternative technologies but rather Advanced Wastewater Pretreatment according to 8.3 of the code; and

WHEREAS, this design incorporates H-600 which is a correct unit for a 3 bedroom dwelling; and

WHEREAS, the Board can approve the proposed design since the DEP has given local Boards of Health authority to approve these technologies; and,

WHEREAS, the following approval will need to be acted on by the Board

1. The zone of treatment can be reduced to 18 inches at the discretion of the Administrative Authority when Advanced Wastewater Pretreatment is being proposed. The design shows a 30 inch zone of treatment which is allowed by code

WHEREAS, all requirements and conditions for Advanced Treatment Units are listed in the general notes numbers 28-32 on page 9 of the plot plan including a maintenance agreement, deed notice and NEHA certification for the system installer; and

WHEREAS, this is a malfunctioning system, the Board can consider waivers and special approvals since the system, per 7:9A 3.3(e) 2ii is more in conformance with the code; and

THEREFORE BE IT RESOLVED by the West Amwell Township Board of Health that the approval listed in #1 above as outlined in the County's May 9, 2014 letter be granted.

BE IT FURTHER RESOLVED that proof of the maintenance contract and reports on the monitoring be provided to the West Amwell Board of Health and the Hunterdon County Health Department

BE IT FURTHER RESOLVED that the maintenance agreement be provided to the owner and kept with the house

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 by motion by Cally, seconded by Fisher.*

As this type of system is no longer considered 'alternative technology,' approval can be made at the County level with no further involvement of the local Board. The Board agreed to this change unless waivers are required.

Inquiry on Well Interference Testing – Mrs. Olsen relayed the receipt of a phone call earlier in the year from a resident who had been contacted by East Amwell concerning interference testing. The resident inquired whether something similar was in place here. Although the resident was advised that there was not, the Board was questioned as to whether there was any interest in such. There was not.

Also briefly discussed was legislation concerning well testing. Mr. Kropp noted that it does not cover private wells, although it is sometimes used as such.

### **UNFINISHED BUSINESS**

Update on Salt Testing – Mr. Kropp advised that he will be meeting with Mr. Hoagland to set up the next round of testing.

Update on NJDOT Yard Testing – Contact was made with Elkins Green, the Director of Environmental Resources at NJDOT in response to the secretary's e-mail to Joe Bertoni. The response received is as follows: 1) NJDOT is committed to sampling the wells bi-annually. 2) NJDOT is continuing to supply bottled water to those residents that have declined the point of entry reverse osmosis (RO) system. [ROs are currently installed at ESC and two at the Brandt apartments. This was curious as the results received at the Township are only for Nanni, Rappaport and Ruggieri. Mr. Green was questioned about this and is to check.] 3) Those residents who have declined ROs and are receiving bottled water are still eligible for a point of entry (POE) RO. 4) Mrs. Green's group inspects the maintenance yard to ensure best management practices are adhered to concerning the salt.

### **ADMINISTRATIVE REPORTS:**

#### Bill List for May 2014

#### **BILL LIST May 22, 2013**

| DATE              | VENDOR                         | AMOUNT PAID |
|-------------------|--------------------------------|-------------|
| January 22, 2014  | CMF Business (name plates)     | \$ 21.90    |
|                   | NJN Publishing (reorg notice)  | \$ 17.74    |
|                   | Russell Reid, Inc (pump out)   | \$ 338.17   |
| February 26, 2014 | James P. Chalupa (13/68 STW)   | \$ 400.00   |
|                   | County Treasurer (STW forms)   | \$ 21.00    |
| March 26, 2014    | James P. Chalupa (50/5 (STW)   | \$ 400.00   |
| April 23, 2014    | Russell Reid, Inc (pump out-3) | \$1,018.89  |
|                   | James P. Chalupa (STW)         | \$1,000.00  |
|                   | (32/20; 52/3; 11/5.12)         |             |

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

Soil Test Witness Report for January, February, March, April 2014

BOARD OF HEALTH  
SOIL WITNESSING REPORT  
Month of: January 2014

Tests Performed:

| <u>Name</u> | <u>Block Lot</u> | <u>Address</u>          |
|-------------|------------------|-------------------------|
| Strober     | 3/21             | 1483 Route 179          |
| O'Day       | 13/68            | 338 Mt. Airy-Harb. Road |

|                                |    |         |
|--------------------------------|----|---------|
| Monies Received and Deposited: | \$ | 1400.00 |
| Fees Refunded:                 | \$ | 0.00    |

BOARD OF HEALTH  
SOIL WITNESSING REPORT  
Month of: February 2014

Tests Performed:

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

|                                |    |       |
|--------------------------------|----|-------|
| Monies Received and Deposited: | \$ | 00.00 |
| Fees Refunded:                 | \$ | 0.00  |

BOARD OF HEALTH  
SOIL WITNESSING REPORT  
Month of: March 2014

Tests Performed:

| <u>Name</u> | <u>Block Lot</u> | <u>Address</u>   |
|-------------|------------------|------------------|
| Rattigan    | 50/5             | 1 Circle Drive N |

|                                |    |          |
|--------------------------------|----|----------|
| Monies Received and Deposited: | \$ | 1,050.00 |
| Fees Refunded:                 | \$ | 0.00     |

BOARD OF HEALTH  
SOIL WITNESSING REPORT  
Month of: April 2014

Tests Performed:

| <u>Name</u> | <u>Block Lot</u> | <u>Address</u>  |
|-------------|------------------|-----------------|
| Kustiel     | 32/20            | 28 Barry Road   |
| Rockafellow | 52/3             | 14 Circle Drive |
| Beck        | 11/5.12          | 22 Rose Run     |
| Walters     | 8/36             | 1454 Route 179  |

|                                |    |          |
|--------------------------------|----|----------|
| Monies Received and Deposited: | \$ | 3,250.00 |
| Fees Refunded:                 | \$ | 0.00     |

The reports were accepted as presented with no further comment.

Website Review: Held

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

**CORRESPONDENCE:**

The correspondence as listed on the Agenda was ordered filed.

**DISCUSSION:**

Mr. Cally questioned whether there is a requirement that septic be tested prior to a sale. Mr. Kropp advised that this is something required by banks, not the County; most fail due to responsibility factors; 700 gallons of water is dumped into the system for the testing; and, it's pretty much a sham. If a septic is in violation, it usually shows on the surface.

**ADJOURNMENT:**

There being no further business before the Board, the meeting was unanimously adjourned at 8:17 p.m. on motion from Kropp.

Respectfully submitted,

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Lora Olsen, Secretary

APPROVED: August 28, 2014