

**WEST AMWELL TOWNSHIP BOARD OF HEALTH**  
**October 29, 2009**

The West Amwell Township Board of Health met on the above date. Chair Corboy led the pledge to the American flag.

The meeting was called to order at 7:30 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 23, 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, Robyn Myhre, Bruce Nadelson. Mr. Masterson, Mr. Hart and Mr. Kropp were excused. Ms. Myhre and Mr. Nadelson are full voting members this evening.

Public in attendance included Adam Lucarini and an unidentified couple.

**PRESENTATION OF MINUTES**

The minutes of July 23, 2009 regular meeting were approved on motion by Molnar, seconded by Myhre. Roll Call: Nadelson-abstain, Molnar-aye, Myhre-aye, Corboy-aye

**AGENDA REVIEW**

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

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

**NEW BUSINESS:**

Request for Reserve Septic Waiver – Block 32 Lot 4 –

Adam Lucarini addressed the Board concerning his pending subdivision before the Planning Board and the letter received from Attorney Shurts. The letters received from Attorney Shurts, Mr. Lucarini and the County were presented as well as a plan of the proposed division. Mr. Lucarini is seeking a waiver of reserve testing on his primary property as, after the minor subdivision is approved, there will be 14 acres remaining which he feels is adequate should a secondary system ever need to be installed. This subdivision process began over three years ago and Mr. Lucarini stated that he was told at that time that it was not necessary to do reserve testing. This was clarified with the Engineer Clerico at the time. He has also been in touch with Bob Vaccarella at County Health who has advised that a waiver is required from Board. According to the ordinance, lands remaining are not subject to reserve testing if they are deed restricted against further development.

Mr. Corboy relayed that the Planning Board doesn't handle septic waivers and advised that if Mr. Lucarini is deed restricting the remaining lands as a conservation easement, this area will have to be delineated as such on the maps. Mr. Lucarini indicated that this would be no problem. It was also noted that lot to be created through this subdivision has been tested for a primary and reserve per current regulations.

A brief discussion ensued concerning farmland assessment and farmland preservation and effects, if any, on reserve testing. Mr. Lucarini indicated that he had considered farmland preservation so as to not scare off future buyers that might be concerned with a deed restriction and has expressed interest in farmland preservation several times. Mr. Molnar and Mr. Corboy spoke about exception areas that part of farmland preservation but determined that the exception area on this particular property would be an existing house. As for farmland assessment, 5 acres in addition to the house is required. It was also noted that the Open Space committee has always looked for bigger parcels but may now consider those under 20 acres.

Mr. Nadelson raised concern about the location of the existing septic and the wetland transition area indicated on the plan as no clear boundary was shown. Mr. Lucarini relayed that the existing system is over-built. There is a tank for gray water and a separate one for sludge, with 25 to 30 laterals. The tanks are pumped regularly. The system was installed 15 years prior to his 12 year occupancy.

A recent waiver granted by the Board on another property was reviewed but was slightly different from the current request. In that waiver, the separate acreage with development potential was granted relief only until such time that development would take place. A primary and reserve in the plotted exception area would then be required.

The following resolution was presented for consideration.

**BOH RESOLUTION #13-2009**

WHEREAS, a subdivision of Block 32 Lot 4 is pending before the Township Planning Board; and

WHEREAS, the proposed subdivision will create Lot 4.02 consisting of six acres, which has been tested for both a primary and reserve septic field; and

WHEREAS, Lot 4 currently consists of approximately 20 acres with an existing dwelling; and

WHEREAS, the property owner, Adam Lucarini, testified to the Board of Health that it is his intent to deed restrict Lot 4 from further development should the subdivision be approved; and

WHEREAS, Adam Lucarini has requested that the Board of Health approve a reserve testing waiver on Lot 4 as permitted under 173-9

THEREFORE BE IT RESOLVED, by the West Amwell Township Board of Health that the Board hereby waives the requirement for reserve testing on Lot 4 as long as the applicant deed restricts lands remaining on Lot 4 from future development at the time of subdivision approval

Molnar motioned to approve the Resolution and Nadelson seconded. Roll Call: Nadelson-aye, Myhre-aye, Molnar-aye, Corboy-aye

Mr. Lucarini expressed appreciation to the Board and left the meeting.

A general discussion ensued about having assurance in the future that a current system is working; that the waiver just granted has not changed anything as the subdivided lot has met current standards; and, concern about a system that sits in wetland transition area that may drain into the wetlands. It was suggested by Ms. Myhre that evidence of a functioning existing system be required. However, this poses additional problems in that engineering firms can't guarantee systems and warranty their viability over time. Mr. Nadelson is concerned about when to draw the line as the Board tends to be liberal on this front; would like to see more information; and stated that a balance is needed between protecting the water supply, the wetlands, and future residents—a position on which Mr. Molnar agreed. Taking a hard line against affects of pollution vs financial aspects was also of concern. Mr. Corboy noted that there are residents with small lot limitations and Board provides the best it can in that these cannot be declared non-functional nor the owners compensated if there's an environmental problem.

#### **UNFINISHED BUSINESS:**

Septic Maintenance Ordinance, update – An e-mail was received from Ron Shapella as a follow-up to the discussion at the June meeting concerning this topic. According to what was received, the Township is exempt from developing a septic maintenance ordinance due to the approved Wastewater Management Plan approved last year.

#### **ADMINISTRATIVE REPORTS:**

Bill List for August, September and October 2009 –

BILL LIST  
October 29, 2009

DATE	VENDOR	AMOUNT PAID
8/12/2009	County of Hunterdon	\$ 200.00
	Mt. Holly MUA	\$ 470.90
	Russell Reid, Inc	\$ 624.82
	Kel-Tren Water Care Inc	\$ 230.00

October 29, 2009 BOH Minutes  
Page 4

9/16/2009	Russel Reid, Inc.	\$1,022.84
	Sadat Associates, Inc	\$ 131.25
10/7/2009	Mt. Holly MUA	\$ 79.42
	Russell Reid, Inc	\$ 763.82
	James P. Chalupa	\$ 720.00
10/21/2009	Sadat Associates	\$ 165.48
	QC Labs	\$ 199.00

NOTE: The above invoices were received and paid from the BOH line item through October 21, 2009 and are provided for informational purposes.

Soil Test Witness Reports for August, September and October 2009 –

BOARD OF HEALTH  
SOIL WITNESSING REPORT  
Month of: August 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: September 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: September 2009

Tests Performed:

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

Monies Received and Deposited: \$ ---  
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.:**

- A listing of upcoming **educational opportunities** was provided.
- A satisfactory evaluation was received on the Sanitary Inspection Report for the ESC school's food service provider.
- A septic repair for Block **31 Lot 2** involved the D-box. The 20 year old system failed a home inspection.
- NJ LINCS provided information on various health issues such as an increase in tick-borne diseases, CDC recommendations for persons with Influenza-Like Illness, seasonal flu vaccinations, seasonal flu and H1N1 vaccination survey, surveillance for Vibrio illness, updated H1N1 vaccine information, available funds for Hepatitis B Inoculation, increased detection of West Nile Virus in Mosquito Pools, and confirmation of West Nile Virus Neuroinvasive disease in a County resident, and recent Influenza-Like-Illness activity.

The **Office of Emergency Management** provided information concerning a program for First Responders to receive vaccinations.

The monthly dog license report for August and September 2009 was received from the **ACO**. A total of \$6.60 was remitted for August and \$1. 20 for September.

The Township's joint insurance pool, **PAIC**, provided a special bulletin announcement concerning H1N1 influenza vaccinations and training.

### **DISCUSSION:**

### **ADJOURNMENT:**

There being no further business before the Board, the meeting was unanimously adjourned at 8:26 p.m. on motion from Molnar, seconded by Nadelson

Respectfully submitted,

---

Lora Olsen, Secretary