

WEST AMWELL TOWNSHIP BOARD OF HEALTH

October 28, 2010

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

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 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: Ken Hart, Rick Kropp, Frank P. Masterson III, George Fisher, Wendy Williams, Jim Cally. Tom Molnar was excused.

Public in attendance included Alex Mikos, Perry Diamond and Mike Johnson.

Ms. Williams is a full voting member this evening.

PRESENTATION OF MINUTES

The Special, Closed Session and Regular minutes of September 28, 2010 were unanimously approved on motion from Kropp, seconded by Masterson.

AGENDA REVIEW

Nothing added.

OPEN TO THE PUBLIC/TOPIC NOT ON THE AGENDA

No comments received.

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

Introduction: BOH Ordinance 2, 2010

Chair Hart stated that this ordinance is pursuant to the Order dated October 13, 2010 and Stipulation of Settlement. The ordinance was read by title:

AN ORDINANCE AMENDING CHAPTER 173 OF THE CODE OF THE TOWNSHIP OF WEST AMWELL, HUNTERDON COUNTY, NEW JERSEY

BE IT ORDAINED by the Board of Health of West Amwell Township, Hunterdon County New Jersey that Chapter 173-21B and 173-21G be amended in Sections 1 and 2 below as follows:

Section 1:

Section 173-21B. Exemptions.

The following are exempt from the provisions of Section 173-21;

- (1) Agricultural divisions of land.
- (2) Lot line adjustments.
- (3) The remaining lands in a subdivision that will be restricted in their entirety against any future development.

- (4) Any General Development Plan approved prior to the adoption of BOH Ordinance 01, 2006 on September 27, 2006, notwithstanding amendments to any such General Development Plan as may be permitted or approved thereafter pursuant to the Municipal Land Use Law.

Section 2:

Section 173-21G. This ordinance shall not apply to pending subdivisions for which applications have been deemed complete by the West Amwell Planning Board or Board of Adjustment prior to September 27, 2006, to undivided lots for which current applications for individual Subsurface Sewerage Disposal Systems have been filed prior to September 27, 2006; or to General Development Plans approved prior to September 27, 2006, notwithstanding amendments to any such General Development Plan as may be permitted or approved thereafter pursuant to the Municipal Land Use Law.

Section 3:

This ordinance shall become effective immediately upon final adoption and publication in accordance with the laws of the State of New Jersey.

Section 4:

Upon adoption this ordinance shall become part of the Code of the Township of West Amwell.

Kropp motioned to introduce on first reading and Masterson seconded. Roll Call: Williams-aye, Fisher-aye, Masterson-aye, Kropp-aye, Hart-aye. The public hearing will be held December 16th.

NEW BUSINESS:

Request for Septic Waiver – Block 28 Lot 19.03

Alex Mykos of Goldenbaum Baill reviewed the situation on the reference property—a failing system, a house fire, no area for a standard system due to wetlands and woodlands; and, approximately half of the property covered with an utility easement. The testing calculations and results were relayed. The owner is not particular happy with the yield of the current well and, along with a new house, will be installing a new one which will meet the 100 foot separation requirement. Mr. Mykos was questioned about the various on-site conditions, e.g., test timing, type of soils/distance from top soil, and the well. He relayed information on the former and noted on the latter that the existing well is to be abandoned. The submitted plan will need to be revised to reflect the location of the proposed new well.

BOH RESOLUTION #16-2010

WHEREAS, a septic system alteration request has been referred to the Township Board of Heath for Block 28 Lot 19.03; and

WHEREAS, waivers are requested for the following:

1. There is no passing permeability due to failing basin floods.
2. The highest regional water table is at 16 inches in soil logs 1 & 2 which is greater than the maximum allowed by code of 24 inches grade. The design will still have a minimum of 48 inches of separation from the regional water table to the proposed level of infiltration.
3. The proposed disposal bed is not the minimum 100 to the existing Well. The proposed disposal field is shown 72.9 feet from the neighboring well. The distance may be decreased by the administrative authority to a minimum of 50 feet only when the well is provided a water-tight casing to a depth of 50 feet or more. There is no information on file for the existing well.

WHEREAS, the design shows a mounded system with the use of a pump; and

WHEREAS, this is an alteration of a malfunctioning system with no expansion according to 7:9A-3.3(d) 2, the Board can consider approving the waivers as the proposed alteration is more in conformance with the chapter than the original system

WHEREAS, concerning #3, the existing well will be abandoned and sealed by a licensed well driller; a copy of the abandonment report will be submitted to the Township; and, a new well will be drilled in accordance with current County regulations

THEREFORE BE IT RESOLVED by the West Amwell Township Board of Health that waivers 1 and 2 above and listed in the County's letter of October 8, 2010 be granted

BE IT FURTHER RESOLVED that this resolution be forwarded to the Hunterdon County Health Department and the West Amwell Township Construction Official

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

The current well will be abandoned when the new systems are installed as there is a trailer on site that makes use of the existing well and septic. The owner is proposing to tear down the existing house.

2011 Budget – The budget worksheet as prepared by the CFO was reviewed. The Board's decision was to keep numbers at the 2010 level.

UNFINISHED BUSINESS:

Update on Salt Testing – Mr. Hart relayed his conversation with Attorney Tyler who agreed with Sadat concerning calling DEP's attention to this but had no problem with the Township asking for a reduction. Mr. Hart volunteered to write the letter. The issue of the DPW cap/pavement/monitoring of the former salt area will not be raised but 2010 testing data will be submitted with the reduction request, along with the tables presented at the last meeting, to help make the Township's case. A brief discussion ensued about the two RO systems currently in place—one of which meets standards—and the cost of disposal and quarterly testing. Another recommendation made by the attorney was that the two settlement agreements be reviewed by the Board members.

ADMINISTRATIVE REPORTS:

Bill List for September and October 2010

BILL LIST
October 28, 2010

DATE	VENDOR	AMOUNT PAID
10/6	Sadat	\$ 1,176.25

NOTE: The above invoices were received and paid from the BOH line item through October 6, , 2010 and are provided for informational purposes.

Soil Test Witness Reports for September (updated) & October 2010

SOIL WITNESSING REPORT
Month of: September 2010 (Updated)

Tests Performed:

<u>Name</u>	<u>Block Lot</u>	<u>Address</u>
DeBlasio	12/47	Mt. Airy-Harb Road.
Cammerano	11/43	Mill Road

Monies Received and Deposited: \$ 1400.00

Fees Refunded: \$ 0.00

SOIL WITNESSING REPORT
Month of: October 2010

Tests Performed:

Name
None

Block Lot

Address

Monies Received and Deposited: \$ 0.00

Fees Refunded: \$ 600.00

The reports were received without comment.

CLOSED SESSION & RESULTS, IF ANY:

Not required.

CORRESPONDENCE:

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

- A satisfactory evaluation for *Maschio Food Service* (SHRHS) on their Sanitary Inspection Report.
- LINCS Public Health Advisories concerned items such as *West Nile Virus* Levels (positive activity in the central and southern regions of the County); Suspect Case of *Measles* in Middlesex County involving a 17 month old unvaccinated infant is pending laboratory confirmation; *Influenza Like Illness* (ILI) Activity for the week ending September 18, 2010 noted that surveillance data is currently being collected from two health care providers, schools, long term care facilities and a hospital.
- Two flu clinics were scheduled and conducted by the County in October.

The September **Dog License Report** was received from the ACO. \$6.60 is to be remitted to the State.

DISCUSSION:

A brief exchange occurred about the difficulty of removing salt from wells and that RO's are the only effective method available.

ADJOURNMENT:

There being no further business before the Board, the meeting was unanimously adjourned at 8:05 p.m. on motion from Fisher, seconded by Williams

Respectfully submitted,

Lora Olsen, Secretary