

WEST AMWELL TOWNSHIP BOARD OF HEALTH
September 23, 2010

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

The meeting was called to order at 7:55 p.m. by Chair Hart who announced that this meeting is called pursuant to the provisions of the Open Public Meetings Act and was included in a list of meetings notice sent 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, Richard Kropp, Tom Molnar, Frank P. Masterson III, Wendy Williams, and Jim Cally. Public in attendance included Suzanne Macaoay Ferguson, John Ruggieri, Steve Ruggieri, Craig Patterson, Brian Conner and Realtor Julie Smith

Alt #1, Wendy Williams, is a full voting member this evening.

PRESENTATION OF MINUTES

The minutes of the December 17, 2009 Regular meeting were approved on motion by Molnar, seconded by Hart. Roll Call: Molnar-aye, Kropp-aye, Hart-aye (the only members eligible to vote)
The minutes of the July 22, 2010 Regular meeting were approved on motion from Molnar, seconded by Hart. Roll Call: Williams-aye, Masterson-aye, Molnar-aye, Kropp-abstain, Hart-aye

AGENDA REVIEW

An additional refund resolution for Block 12 Lot 47 was added to 7.D New Business

OPEN TO THE PUBLIC/TOPIC NOT ON THE AGENDA

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

NEW BUSINESS:

Request for Septic Waiver – Block 55 Lot 1

Kurt Hoffman explained that the original house contained 4 bedrooms but has been reduced to 3 bedrooms by the homeowner. The design presented was for the latter. This is a peat moss system and a copy of the contract with the installer was presented. Mr. Kropp questioned the reduced number of bedrooms due to concern over possible expansion in the future which would bring the matter back before the Board. Questions were also raised about the auto-dialer and maintenances issues. The Board was informed that a four bedroom system would not fit on the lot; the house was re-designed to accommodate that fact; and, that this is a 3 pod, 3 bedroom max system. A copy of the maintenance contract and certifications for Richard Metz for the operation, maintenance and installation of Puraflor systems were received.

BOH RESOLUTION #11-2010

WHEREAS, a septic system alteration request to correct a malfunctioning system for a 3 bedroom dwelling with no expansion has been referred to the Township Board of Health for Block 55 Lot 1; and

WHEREAS, the proposed alteration will utilize new technology called the peat system. The design incorporates the Puraflo peat moss Biofilter, an alternative technology that has been approved by the DEP; and

WHEREAS, the design also incorporates 3 Peat units, which is the correct number for a 3 bedroom dwelling, filled with certified peat to further treat the effluent and utilizes a pressure dose disposal bed; and

WHEREAS, the Board can approve the proposed design since the DEP has given the Local Boards of Health authority to approve this technology through the issuance of a general TWA; and

WHEREAS, County Health Department letter of August 4, 2010 states that the following waivers or recommendations will need to be acted on by the Board:

1. The use of the Puraflo peat system
2. That a deed restriction be placed on the property indicating that annual maintenance of the property and the type of technologies being used.
3. Proof of the maintenance contract and reports on the monitoring shall be provided to the Board and the County
4. A maintenance agreement shall be provided to the owner and kept with the house
5. This is an alteration to correct a malfunctioning system and the granting of the waivers or approval of the Puraflo system holds West Amwell Township and Hunterdon County Health Department not responsible for the system and shall be held harmless
6. The design engineer and manufacturer shall inspect the system and provide certification to the Board and County
7. That a copy of the design be provided to DEP for their files
8. The contractor installing the system shall be trained and certified by the manufacturer and will provide a copy of said certification to the County Health Department
9. A new requirement is the use of an auto dialer for the system and the manufacturer will be installing a new panel to incorporate this
10. The septic and pump tanks shall have a water tightness test conducted by the design engineer
11. The engineer proposes to reuse the existing 1,300 gallon septic tank. The engineer will need to verify that this is a 1,300 gallon tank and certify that the water tightness test has passed.

WHEREAS, the West Amwell Township Board of Health concurs and approves waivers and/or recommendations in 1 through 10 above; and,

WHEREAS, the engineer will verify to the Board, in writing concerning #11, that the septic tank is indeed 1,300 gallons and that it has passed a water tightness test

THEREFORE BE IT RESOLVED by the West Amwell Township Board of Health that the use of the alternative technology described herein is approved for use on Block 55 Lot 1 in line with the parameters stated.

BE IT FURTHER RESOLVED that the date of annual monitoring be set for one (1) year from installation and no later than two (2) years from approval.

BE IT FURTHER RESOLVED that this resolution be forwarded to the Hunterdon County Health Department, the engineer of record, the Township Construction Official, the Township Assessor and the applicant.

The Resolution was unanimously approved on motion by Kropp, seconded by Molnar.

Request for Septic Waiver – Block 8 Lot 25

Craig Patterson presented this septic alteration to an existing three bedroom home situated on an undersized lot. A distance waiver to the well is necessary but the field is in the same area as the existing one although with an upgrade to current standards. The well is located in the back corner of the lot; is 69 feet 10 inches deep; and has 13 feet 7 inches of casing. There is a water softener on the well; an all house filter; and a RO from the State. The results of a recent well test shows compliance with State standards. A brief discussion ensued over lot slope and casing depth but also noted was that the upgrade to a failing system would make it safer. A copy of the well report and well test data are to be filed in the Board office.

BOH RESOLUTION #12-2010

WHEREAS, a septic system alteration request to correct a malfunctioning system for a 3 bedroom dwelling with expansion has been referred to the Township Board of Health for Block 8 Lot 25; and

WHEREAS, the design complies with all aspects of 7:9A except that the following waiver and approval will be needed

1. There was no passing permeability in the zone of disposal. A pit bail test was attempted but was not run to completion as there was only 11 inches of water after 24 hours and not the required 18 inches. A soil sample was also taken and showed some permeability.
2. The proposed disposal bed will be only 60 feet from the existing well on the property and not the required 100 foot separation. The distance can be reduced to 50 feet under 7:9 A-4.3 provided there is 50 feet of casing in the well. A well record or report from a well driller shall be provided to the Board.

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

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

WHEREAS, a well driller report and well sampling data will be provided to the Township verifying existing conditions of the well

THEREFORE BE IT RESOLVED by the West Amwell Township Board of Health that the waivers #1 & #2 above and listed in the County's letter of September 10, 2010 be granted

BE IT FURTHER RESOLVED that this resolution be forwarded to the Hunterdon County Health Department, the engineer of record and the applicant.

The Resolution was unanimously approved on motion by Molnar, seconded by Kropp.

Request for Septic Waiver – Block 31 Lot 3

Craig Patterson noted that the property is across from the West Amwell Mason Supply. There is an existing cesspool on the property and multiple soil tests were done. There is limited permeability although a basin flood showed some movement. A peat system has been proposed. Mr. Patterson explained that the bed has been overdesigned by 100% to account for the permeability issue; the well is 112 feet from the septic and there are no other wells within 100 feet of the septic; and, the mound will be approximately 9 inches as a peat system reduces the size. A maintenance agreement will be filed with the County and the Board.

BOH RESOLUTION #13-2010

WHEREAS, a septic system alteration request to correct a malfunctioning system for a 3 bedroom dwelling with no expansion has been referred to the Township Board of Health for Block 31 Lot 3; and

WHEREAS, the proposed alteration will utilize new technology called the peat system. The design incorporates the Eco-Pure 300 series peat moss filter, an alternative technology that has been approved by the DEP; and

WHEREAS, the design also incorporates 1 Peat unit, which is the correct number for a 3 bedroom dwelling, filled with certified peat to further treat the effluent, and utilizes a pressure dose disposal bed; and

WHEREAS, the Board can approve the proposed design since the DEP has given the Local Boards of Health authority to approve this technology through the issuance of a

general TWA; and

WHEREAS, County Health Department letter of September 10, 2010 states that the following waivers or recommendations will need be acted on by the Board:

1. The use of the Eco-Pure peat system
2. That a deed restriction be placed on the property indicating that annual maintenance of the property and the type of technologies being used.
3. Proof of the maintenance contract and reports on the monitoring shall be provided to the Board and the County
4. A maintenance agreement shall be provided to the owner and kept with the house
5. This is an alteration to correct a malfunctioning system and the granting of the waivers or approval of the Eco-Pure system holds West Amwell Township and Hunterdon County Health Department not responsible for the system and shall be held
6. The design engineer and manufacturer shall inspect the system and provide certification to the Board and County
7. That a copy of the design be provided to DEP for their files
8. The contractor installing the system shall be trained and certified by the manufacturer and will provide a copy of said certification to the County Health Department
9. A new requirement is the use of an auto dialer for the system and the manufacturer will be installing a new panel to incorporate this.
10. The septic and pump tanks shall have a water tightness test conducted by the design engineer
11. There is no passing permeability testing in the zone of disposal; however, there was a passing soil sample in the upper horizon. The system is being over designed by 100% to account for the lack of permeability in the zone of disposal.

WHEREAS, the West Amwell Township Board of Health concurs and approves waivers and/or recommendations in 1 through 11 above

THEREFORE BE IT RESOLVED by the West Amwell Township Board of Health that the use of the alternative technology described herein is approved for use on Block 31 Lot 3 in line with the parameters stated.

BE IT FURTHER RESOLVED that the date of annual monitoring be set for one (1) year from installation and no later than two (2) years from approval.

BE IT FURTHER RESOLVED that this resolution be forwarded to the Hunterdon

County Health Department, the engineer of record and the applicant.

The Resolution was unanimously approved on motion by Molnar, seconded by Kropp.

Refund Resolution – Block 32 Lot 12

BOH RESOLUTION #14-2010

WHEREAS, the BOH established a policy regarding the refund of STW fees, and

WHEREAS, the policy states that

1. the second day has to be cancelled by the end of the first day of testing with a call to the secretary
2. an administration fee of \$50.00 would be deducted from the refund OR
3. credit would be given for another testing date scheduled within 30 days on same Block and Lot, and

WHEREAS, this policy was further amended to apply the administrative fee to all subsequent days cancelled in line with the established guidelines, and

WHEREAS, the following applicants meet the above qualifications for second and/or subsequent-day refund minus the administration fee

| BLOCK/LOT | NAME | AMOUNT |
|-----------|----------------------------------|----------|
| 32/12 | Roebeling (Pleasant Run Farm) | \$300.00 |

THEREFORE BE IT RESOLVED by the West Amwell Township Board of Health that the aforementioned applicant(s) receive a second and/or subsequent day refund in the amount stated above.

The Resolution was unanimously approved on motion by Molnar, seconded by Hart.

Refund Resolution – Block 12 Lot 47

BOH RESOLUTION #15-2010

WHEREAS, the BOH established a policy regarding the refund of STW fees, and

WHEREAS, the policy states that

1. the second day has to be cancelled by the end of the first day of testing with a call to the secretary
2. an administration fee of \$50.00 would be deducted from the refund OR
3. credit would be given for another testing date scheduled within 30 days on same Block and Lot, and

WHEREAS, this policy was further amended to apply the administrative fee to all subsequent days cancelled in line with the established guidelines, and

WHEREAS, the following applicants meet the above qualifications for second and/or subsequent-day refund minus the administration fee

| BLOCK/LOT | NAME | AMOUNT |
|-----------|---|----------|
| 12/47 | Al's Sunoco Service (Dolores DeBlasio) | \$300.00 |

THEREFORE BE IT RESOLVED by the West Amwell Township Board of Health that the aforementioned applicant(s) receive a second and/or subsequent day refund in the amount stated above.

The Resolution was unanimously approved on motion by Kropp, seconded by Hart.

UNFINISHED BUSINESS

Discussion with Suzanne Macaoay Ferguson of Sadat Associates Concerning Salt Planning:

Suzanne Macaoay Ferguson of Sadat Associates presented and reviewed charts depicting trend analyses for the three salt wells, noted that all are looking good and explained that the problem at 254 Mt. Airy-Harb. occurred when the unit failed. The well at 255 Mt. Airy-Harb. is a success story as the numbers are going down; the salt is moving on; and, the well clean up operation is acting as groundwater treatment. Discussion ensued about reducing the well sampling requirements and how best to pursue and the situation of soil removal vs capping or possible soil sampling at the DPW facility. Mrs. Ferguson relayed that any change to the original proposal would have to be run by DEP, although there was no urgency to do anything at the DPW at the time as DEP was satisfied that the homes were being addressed first. However, to do any type of soil sampling would put on record that the salt was flushed to groundwater which could be a legal issue. Paving the shed pad area would be a more efficient way to stop infiltration. As to when it would be possible to cease all testing, Mrs. Ferguson noted that there are two tracks are work—the legal settlement and the DEP requirements. It may be possible to do semi-annual testing at DPW, Wilcox, Wyman and Errickson with quarterly continuing at Perrine, Morandi and Pearson in 2011 but this would have to be checked with Attorney Tyler. Chairman Hart will discuss this further with the attorney and quarterly testing costs were requested for the next meeting. As for the system at 254 Mt. Airy-Harb., it was suggested that the owners be asked if they still want the treatment system as the water is clean. However, Chair Hart noted that the total program needs to be revisited, re-evaluated and, hopefully, stopped.

ADMINISTRATIVE REPORTS:

Bill List for June and July 2010

BILL LIST September 23, 2010

| DATE | VENDOR | AMOUNT PAID |
|----------|---------------------|-------------|
| 8/4/2010 | County of Hunterdon | \$ 900.00 |
| | QC Labs | \$ 222.00 |
| | Tyler & Carmeli | \$ 880.00 |
| | Russell Reid | \$ 767.70 |

BOH Minutes
September 23, 2010
Page 8

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|------------------|------------|
| KelTren | \$ 105.00 |
| Sadat | \$ 131.25 |
| James P. Chalupa | \$1,200.00 |

| | | |
|----------|----------------------------|------------|
| 9/1/2010 | Mt. Holly MUA | \$ 151.06 |
| | Russell Reid | \$ 767.70 |
| | Enviro-Process Systems Inc | \$1,911.60 |
| | James P. Chalupa | \$ 600.00 |

NOTE: The above invoices were received and paid from the BOH line item through September 1, 2010 and are provided for informational purposes.

BOARD OF HEALTH
SOIL WITNESSING REPORT
Month of: July 2010 Updated

Tests Performed:

| <u>Name</u> | <u>Block Lot</u> | <u>Address</u> |
|-------------|------------------|-------------------|
| Nicholson | 13/41.02 | 314 Rocktown-Lamb |
| Diamond | 28/19.03 | 35 Hewitt Road |
| Ruggieri | 8/25 | 1412 Route 179 |
| Meldrum | 32/12 | 74 Barry Road |

| | |
|--------------------------------|----------------------------|
| Monies Received and Deposited: | \$ 2800.00 (updated total) |
| Fees Refunded: | \$ 0.00 |

BOARD OF HEALTH
SOIL WITNESSING REPORT
Month of: August 2010

Tests Performed:

| <u>Name</u> | <u>Block Lot</u> | <u>Address</u> |
|-------------|------------------|-----------------------|
| Swords | 55/1 | 202 Circle Drive East |
| Crusader | 31/3 | 625 Brunswick Pike |
| Diamond | 28/19.03 | 35 Hewitt Road |
| Ruggieri | 8/25 | 1412 Route 179 |
| Crusader | 31/3 | 625 Brunswick Pike |

| | |
|--------------------------------|-----------|
| Monies Received and Deposited: | \$ 900.00 |
| Fees Refunded: | \$ 0.00 |

BOARD OF HEALTH
SOIL WITNESSING REPORT
Month of: September 2010

Tests Performed:

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

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

CLOSED SESSION & RESULTS, IF ANY:

CORRESPONDENCE:

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

- The Notice of Septic Repair for Block 23 Lot 25 involved the inspection port that was broken by a lawn mower.
- A Retail Food Establishment Spot Check for Quick Check found that the problem noted previously has been abated. A satisfactory posting was granted.
- LINCS Public Health Advisories included: 1) NJ Animal Rabies Cases by County & Species for Jan1 – Jun 30, 2010 showed 5 in Hunterdon County; 2) Increased Potential for Dengue Infection noted that this is a reportable condition and suspected cases should be reported to the local health department for investigation to minimize the risk of an infected traveler transmitting the virus to local mosquito populations; and, 3) A Measles Exposure alert due to a confirmed case found in New York State involving an unvaccinated international traveler from Italy.

The **ACO** Monthly Dog License Reports for July & August 2010 were received.

DISCUSSION:

The recent violation at South concerning the installation of a generator without a permit and in violation of the NJ Air Pollution Control law was noted.

ADJOURNMENT:

There being no further business before the Board, the meeting was unanimously adjourned at 9:25 p.m. on motion from Molnar, seconded by Kropp.

Respectfully submitted,

Lora Olsen, Secretary