

READINGTON TOWNSHIP BOARD OF HEALTH

October 15, 2014

Chair William C. Nugent called the meeting to order at 7:05 p.m. and announced that all laws governing the Open Public Meetings Act have been met and that this meeting has been duly advertised.

Attendance Roll Call:

Christina Albrecht	present	Beatrice Muir	present	Tanya Rohrbach	present
Jane Butula	present	William C. Nugent	present	Wendy Sheay	absent
Robert Colburn	present				

Also in attendance: Board of Health Engineer – Ferriero Engineering
Division of Public Health – Debra Vaccarella

A. APPROVAL OF THE MINUTES

1. **Minutes** of 8/20/14. (-Albrecht, Butula, Muir vote).

Deferred.

2. **Minutes** of 9/17/14. (-Albrecht vote).

A motion was made by Ms. Butula for approval of the 9/17/14 minutes, seconded by Ms. Rohrbach.

On roll call vote the following was recorded:

Ms. Butula Aye Mr. Colburn Aye Ms. Muir Aye Ms. Rohrbach Aye Chair Nugent Aye

B. CORRESPONDENCE

1. **Suspected Hazardous Discharge Notification** letter dated 8/23/14 regarding oil heating 2.

2. **Suspected Hazardous Discharge Notification** letter dated 9/13/14 regarding oil transformer non-PCB.

3. **Suspected Hazardous Discharge Notification** letter dated 9/16/14 regarding oil heating 2.

4. **Suspected Hazardous Discharge Notification** letter dated 9/18/14 regarding gasoline.

Chair Nugent asked Ms. Vaccarella if the location description address being indicated incorrectly as Thor Sawburg Rd. instead of Thor Solberg Rd. would in any way hamper the hazmat process cleanups, communications and notifications?

Ms. Vaccarella stated no.

Ms. Butula noted that it is 2/10,000 gallon and 2/2,000 gallon tanks. Are there any well implications?

Ms. Vaccarella stated that they are regulated underground storage tanks, the State will follow up on it. They had to notify the State to begin with, with a registration number, they are required at least 30 day notification to the DEP when they are removing these tanks.

Ms. Butula asked if we would eventually get a 'no further action' letter?

Ms. Vaccarella stated she couldn't answer that because it is a regulated system. It will most likely be one of the ones that the board gets continuous results on. Technically it is a gas station.

Ms. Muir asked if this is aviation fuel, which contains lead? And this may be dangerous.

Ms. Vaccarella stated that the well on the property is not used on the property for any potable consumption and the only thing they do use water for is when they have the balloonfest and they truck in the water at that point in time. Once they have a regulated UST under the jurisdiction of the DEP, it doesn't matter if it is holding kerosene, fuel oil, leaded gas, aviation motor fuel, whatever, it is still under their jurisdiction. That is what Ms. Muir asked if it would be doing a clean-up. As stated, it is not going to get a 'notice of no further action', it is going to stay in the system, just as they do for the other gas stations and their clean-ups. They will continuously monitor that well for anything that they find that is accurately in the product.

Ms. Muir stated that she would look forward to receiving their notices.

Ms. Vaccarella stated that they come to the municipality on a regular basis.

Chair Nugent stated that he wasn't implying that there was an issue or concern, he was inquiring as to whether the address, street name specifically being misspelled would in any way compromise this process.

Ms. Butula thanked Ms. Vaccarella for pointing out that this falls under the gas station jurisdiction.

Ms. Muir pointed out that the amount released is listed as 0 and it doesn't specify the kind of gasoline, and what precipitated the removal at this point in time.

Ms. Vaccarella stated that there would be a case manager assigned by the DEP to review this and it is under the jurisdiction of the UST program. It is not unusual for any UST to be removed for a commercial site, and for them to call in a hotline number because if you are getting rid of even this amount of contaminated soil, it needs to be associated with a call in number. That could be the reason why 0 was found, leaking from the tanks could be 0, but coming out of the pipeline leaving it could have been 2, or could have been the staining of an overfill. There are so many things that come out from a regulated UST removal that it could just be for numbering purposes.

Ms. Muir stated that she would like a little more information, what type of fuel? and specifically if it is aviation fuel? And how often we'll be receiving an update on it?

Chair Nugent pointed out that on the front of the form there is a CASE ASSIGNMENT SECTION, Site Remediation phone number. Chair Nugent asked Ms. Petzinger to contact the number and find out how they would obtain additional information. There is also a contact person on the back of the form.

5. Block 53/Lot 9.13 – Letter dated 8/25/14 – NJDEP – No Further Action Letter.

6. Block 98/Lot 2.52 – Letter dated 9/15/14 – NJDEP – No Further Action Letter.

C. OLD BUSINESS

D. NEW BUSINESS

1. Readington Township Emergency Preparedness Tabletop Exercise scheduled for 11/1/14, postponed until after 1/1/15. (emails 9/18/14 and 9/26/14).

Noted.

Time heard: 7:30 p.m.

2. HCHD – 5 year expiration on applications.

Chair Nugent noted that the state code requirement that the BOH have an expiration date associated to its motions was discussed recently and the County was queried regarding their expiration date.

Ms. Vaccarella stated that the County has a 5 year expiration date for the permit approval. There is no reason for the township to put an expiration date on the soil testing because that is not the intent of the code. The intent of the code is if there are advanced treatment technologies that can be rolled into the designs. There are two systems due to expire April through December 2017, which may help the discussion along as to whether or not to visit that. They are also new construction and have until 12/2017.

There was some discussion of the County procedure, compliance with the State code and approval procedures.

Mr. Kosinski stated that in discussion with the County, their guidance from the State was that the 5 year expiration approval procedures are appropriate. The County is charged to review the plans for compliance with the State and Township codes, for example if the board were to set a motion in place for an approval of a system and that applicant chose to wait 5 years to approach the County for an approval of that design and the technology in that timeframe had changed, they may have to come back to this board for an approval because the design wouldn't be compliant with either the State or Township code if something had changed. The safeguard is in place even if the motion is granted, it is granted for a certain set of conditions, a certain technology, a certain design which the County is responsible for approving and administering.

Chair Nugent stated when the board discussed this previously, one of the requests was to have a query sent to the state specifically to clarify the motions made by this board and then the permitting process by the County to see if the State concurred with the permitting expiration date complying with the State Code, and the question is did that specific question get posed to the State?

Mr. Kosinski stated that Mr. Vaccarella had indicated that he already had that guidance from the State.

Chair Nugent asked if that guidance from the State could be obtained in writing, or, if that request could be submitted to the State inquiring if this Board is in compliance with the code in the way the Board currently operates in relation to testing and approval of the soil logs.

Ms. Vaccarella stated that Ms. Hobbs from the County has asked that the Board meet with the County so that we can move forward more clearly with how the County can review Readington Twp. BOH septic applications, and Readington Twp. can closer monitor what is going on with the health of the community.

Chair Nugent stated to clarify, the BOH's issue is not what the County is doing and whether they are complying, but rather that this Board is complying with State Code, and as long as we get an answer that we are compliant with the expiration date issue, that satisfies the discussion that this board had last month.

3. Rabies Clinic – Saturday, October 25, 2014, 10:00 a.m. – 12:00 noon, @ Three Bridges Firehouse.

www.co.hunterdon.nj.us/health/rabiesclinics.htm

Ms. Petzinger stated that the clinic is scheduled for Saturday, October 25, 2014, 10:00 a.m. – 12:00 noon.

E. APPROVALS

Mr. Colburn recused himself at 7:38

Time heard: 7:40 p.m.

1. Block 14/Lot 51 – Steve Parker Engineering, Baron, 30 Lamington Road.

Escrow fees paid 8/1/14, ck. #3072, \$750.00

Previously heard 9/17/14.

Mr. Stephen Parker, P.E., Parker Engineering & Surveying, NJ licensed engineer appeared before the board with Baron's Farm property manager Mr. Howard Hoffman. This application was before the board last month. There was a question regarding the garage building on the property and whether there is an apartment on the second story. There is a room over the garage, there is no kitchen or heating system in that building. There is a wash room and a shower with an approximate 10 gallon water heater for the farm employees to wash up. It is closed up at this time of year until spring. There are no bedrooms in this building, it is not considered a dwelling unit. The number of bedrooms in the main house is 3. There was a first floor room used temporarily as a bedroom, but is now back to its original use. The proposed system is for a 3 bedroom house but will be oversized.

Property manager Mr. Hoffman testified that the home is a 3 bedroom home.

There was some discussion of the washroom waste disposal. Mr. Parker stated that it drains into the septic tank.

Ms. Albrecht stated that she feels comfortable that the garage is not a dwelling unit and would have no issue going with the tax assessor's assumption that it is a 3 bedroom house.

Chair Nugent stated that noticing had been done, and was there anyone in the audience wishing to speak to this application?

There was no response from the audience.

There was some discussion of revising the cover sheet.

Chair Nugent asked if there were any further comments/questions from the board or professionals?

There were no further comments.

A **MOTION** was made by Ms. Butula for approval as follows:

Block: 14 Lot: 51

Street location: 30 Lamington Road # of Bedrooms: 3 Name of owner: Ms. Nancy Baron

Map Title: Septic System Design for Lot 51, Block 14, Township of Readington, Hunterdon County, NJ

Pages(map): 1 - 2

Map Date: 6/16/14; Map Revisions: 9/29/14

Prepared By: Stephen E. Parker, P.E.

Survey(s): Boundary survey: 6/16/14

Topo Survey: Wayne Holman, 6/3/13

Report(s): Hunterdon County Dept. of Public Safety Div. of Public Health Svcs., 7/31/14; Mr. Parker, 10/1/14

Proposed System Specifications: Proposed alteration with no expansion, mounded soil replacement, gravity, existing 1,000gallon tank which will be inspected and upgraded.

Soil testing results: 5/15/14, Soil log 102, @ 101", mottling 63 – 101", seepage 76 – 101"; Soil log 103, @ 101", mottling 57– 101", seepage 67 – 101". Permeability is pit bail 103, 5/15/14 @ 89", K=1.2"/hr. . The regional water determined by soil log 103, with flooding @ 43". Testimony from the engineer on note #27, 43 and 44.

They are applying for a GP25 wetland permit. This motion for approval requires that they apply to the NJDEP for the GP25 and cannot obtain design approval from the County until they do so. Forms will be submitted by the County dept. The cover sheet will be revised and resubmitted to the BOH office.

The motion was seconded by Ms. Muir. On roll call vote, the following was recorded:

Ms. Albrecht Aye Ms. Muir Aye Chair Nugent Aye

Ms. Butula Aye Ms. Rohrbach Aye

Mr. Colburn returned at 8:15 p.m.

Ms. Muir recused herself at 8:15 p.m.

2. Block 64/Lot 23 – Steve Parker Engineering, Wilk, 101 Barley Sheaf Road.

Escrow fees paid 10/1/14, ck. #94, \$750.00

Mr. Stephen Parker, P.E., Parker Engineering & Surveying, NJ licensed engineer appeared before the board. This is a home sale and the existing system failed at the time of the home inspection. This is a 3 bedroom house with no expansion. Two soil logs and a basin flood test were done on the property, the basin flood was acceptable. The regional groundwater was determined by the observation of mottling in the soil logs, the highest evidence of water was 42” in soil log 2. There are no wetlands or transition areas within 150’ of the area of disturbance of the disposal field. There is a pump because it is raised above grade due to the evidence of ground water observed. The homeowner Mr. Wilk is aware of that and the notification of deed restriction on the property.

Mr. Justin Wilk stated that the new homeowners are aware of the design of the proposed system, and he will pass on the deed restriction and maintenance requirements.

Mr. Parker testified that as according to General Notes 37. & 42., based on the inspection the tank was pumped out during inspection, and will be repaired/replaced as needed. An effluent filter will be installed on the tank. There was some discussion of the proposed system.

Mr. Parker stated that the new bed is raised above grade, the mound will be 30” on the low end, and 40” on the high end.

Chair Nugent asked if there were any further comments/questions from the board or professionals?

There were no further comments.

A **MOTION** was made by Ms. Butula for approval as follows:

Block: 64 Lot: 23

Street location: 1010 Barley Sheaf Road # of Bedrooms: 3 Name of owner: Mr. and Mrs. Justin Wilk

Map Title: Septic System Design for Lot 23, Block 64, Township of Readington, Hunterdon County, NJ

Pages(map): 1 - 2

Map Date: 9/10/14

Prepared By: Stephen E. Parker, P.E.

Survey(s): Boundary survey: 9/15/09, Jack L. Held

Topo Survey: Daniel E. Parker, 9/10/14

Report(s): Hunterdon County Dept. of Public Safety Div. of Public Health Svcs., 10/1/14

Proposed System Specifications: Proposed alteration with no expansion, mounded soil replacement, pump, deed restriction including maintenance and recording requirements, existing 1,000gallon tank which will be inspected and upgraded.

Soil testing results: 9/9/14, Soil log 1, @ 108”, mottling 48 – 60”, no groundwater. Soil log 1, @ 108”, mottling 42– 57”, no groundwater”. Permeability is basin flood 1 , 9/9 – 9/11/14 @ 80”, passing. The regional water determined by soil log 2, mottling @ 42”.

Testimony from the engineer on note #37, 38 and 42. There are no adjoining wells or septic systems in this area.

The motion was seconded by Ms. Albrecht. On roll call vote, the following was recorded:

Ms. Albrecht Aye Mr. Colburn Aye Chair Nugent Aye

Ms. Butula Aye Ms. Rohrbach Aye

Discussion of Block 36/Lot 139:

Mr. Colburn stated that in April this board approved a repair on Pulaski Road.

Ms. Petzinger stated that at the April 16, 2014 meeting this property was approved for a repair to a malfunctioning system. The homeowner has since determined that the existing home is unsalvageable, and is building a new single family home.

F. ADJOURNMENT

A **MOTION** was made by Mr. Coburn to adjourn at 9:15 pm, seconded by Ms. Albrecht with a vote of Ayes all, Nays none recorded.

Respectfully submitted:

Lorraine Petzinger