

## READINGTON TOWNSHIP BOARD OF HEALTH MEETING

February 15, 2006 7:00 pm

Chair William C. Nugent called the meeting to order at 7:10 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	absent	Raymond Facinelli	present	William C. Nugent	present
Daniel Allen	present	Stephanie Moore	present	Wendy Sheay	absent
Jane Butula	present	Beatrice Muir	present		

**Also Present:** Board of Health Engineer: Ferriero Engr., representative Mr. John Hansen  
Hunterdon County Health Department: Ms. Deb Vaccarella

### A. APPROVAL OF THE MINUTES

#### 1. Minutes of January 18, 2006.

A **MOTION** was made by Ms. Muir to **approve** the minutes of 1/18/06. This motion was seconded by Mr. Facinelli and passed with a vote of ayes all; nays none recorded.

On roll call vote the following was recorded for approval of the 1/18/06 minutes:

Dr. Allen	Aye	Stephanie Moore	Aye
Ms. Butula	Aye	Ms. Muir	Abstain
Mr. Facinelli	Aye	Chair Nugent	Aye

### B. CORRESPONDENCE

1. **Suspected Hazardous Discharge Notification** letter dated 1/4/06 regarding heating oil at 18 Latourette Rd.
2. **Suspected Hazardous Discharge Notification** letter dated 1/10/06 regarding heating oil at 303 Heritage Dr.
3. **Suspected Hazardous Discharge Notification** letter dated 1/19/06 regarding oil at 145 West Woodschurch Rd.
4. **Suspected Hazardous Discharge Notification** letter dated 1/19/06 regarding gasoline at 124 Rockafellows Mill Rd.
5. **HCHD LINCS** - dated 1/26/06 HC Communicable Disease Report.
6. **HCHD LINCS** - dated 1/30/06 Calendar of Upcoming Learning Programs.
7. **Appl. notification** from Eastern States Env. Assoc. for BL 38/LT 38.01 permit or approval from NJDEP. *Chair Nugent noted that this is not an LOI application, it is an application for an individual transition area waiver. There was some question as to whether or not the township engineer would review this. Mr. Hansen stated he is familiar with the project, and would review it also.*
8. **Appl. notification** from Bohren & Bohren Assoc. for BL 76/LT 2.03 for permit or approval from NJDEP.
9. NJDEP response to LOI application for Block 45/Lots 26.03 and 26.08.
10. **Appl. notification** from Eastern States Env. Assoc. for BL 65/LT 18.02 for permit or approval from NJDEP. *Chair Nugent added the following correspondence:*
11. **Emergency Operations Plan Radiological Protection Annex.** *Chair Nugent noted this plan will be reviewed.*
12. **First Responders – FR1 form.** *All board members should fill out and return the forms. Ms. Vaccarella stated the forms should be returned asap. Ms. Butula stated this is being put into place as an overall emergency response.*
13. **Block 64/Lot 19 – anonymous letter regarding oil tank.** *Ms. Vaccarella stated the HCHD visited the site, and did not find any evidence of a fuel oil tank on the property, but there was evidence of an old foundation on the property. This was not indicated on the plans for the application that was approved at the January BOH meeting.*

*Chair Nugent stated that information for Block 46/Lot 22 had also been included in the agenda packet.*

**C. Septic Repairs (*HCHD status in italics*).**

1. Septic System Repair Approval from HCHD, B 57/L 11.43. Final inspection 1/19/06.
2. Septic System Repair Approval from HCHD, B 45.02/L 28.08. Final inspection 1/11/06.
3. Septic System Repair Approval from HCHD, B 65/L 21. Final inspection 1/13/06.
4. Septic System Repair Approval from HCHD, B 52/L 13.02. Final inspection 1/25/06.  
*Carried from 1/18/06:*
5. Septic System Repair Approval from HCHD, B 74/L 37.07. Final inspection 1/27/06  
*Carried from 2/16/05:*
6. Septic System Repair Approval from HCHD, B 47/L 7. *Pending, addition to home.*

**D. OLD BUSINESS**

1. **Biofiltration System** – motion template.  
*Chair Nugent stated the latest version was emailed to all board members.*
2. **HCHD** – Partnership for Public Health meeting - 2/6/06, Ms. Butula attended.  
*Ms. Butula stated this was a meeting with the local Public Health System Assessment Committee. Ms. Butula will be involved in mobilization and communication, a subcommittee has been formed and is meeting 3/1/06.*
3. **HCHD** – Municipal Preparedness Committee meeting - 2/3/06, Ms. Petzinger attended.  
*Ms. Petzinger stated the First Response forms were distributed. The committee discussed the following:*
  - *Locations for distribution of medication.*
  - *Education of the public, initially through the newsletter, also, reverse 911 and radio announcements may be utilized during an emergency.*
4. **Hunterdon County Health Summit** - 1/30/06, Chair Nugent attended.  
*Chair Nugent stated this was sponsored by Hunterdon Medical Center. The primary purpose was to convey information from Congress and the House of Rep. regarding government bills and Medicaid.*
5. **Free Rabies Clinic** was held on 1/21/06. 113 Dogs, 48 cats were inoculated.  
*Ms. Butula asked that the clinics be listed on the township webpage.*
6. **Expiration of soil logs.**  
*Chair Nugent stated this is an outstanding issue, also he will be responding back to Ms. Tubman regarding this.*
7. **Block 44/Lot 45** – motions made at 1/4/06 BOH meeting.  
*Chair Nugent stated to clarify the reasons behind the motion to deny made at the 1/4/06 meeting, the board members may offer their input. The applicant engineer and NJDEP had asked for the specific reasons for informational purposes. Ms. Muir stated the law allows municipalities to regulate their activities in regard to ordinances, not just by what is allowed by the state, but to be more stringent than what the state laws designate. Our concerns are for the public health and welfare of the people who are using any system, and possibly future residents that would be in the house years down the road. Ms. Muir stated she felt it is better to be more careful than it is to be lenient. In regard to this particular application, this is new technology, there are no scientific studies that have been done in the state of NJ. As new technology, the residents in Readington Twp. should not be guinea pigs, and the BOH needs to take a position of wait and see. We have systems that we do accept, that do work, that have historically worked for years. Like anything mechanical they have to be maintained, and occasionally fixed. These reasons as stated were the basis for the motion to deny.*
8. **Newsletter** – *upcoming issue will contain septic maintenance article.*  
*Ms. Moore noted for future newsletters, the daily activities for seniors at the Community Center in Flemington in regard to health related issues could be noted in the newsletter and also linked from the Twp. webpage.*

## E. NEW BUSINESS

1. **Animal Bite Reports 6/1/05 – 1/17/06**, 16 bites total, 10 dog, 4 cat, 1 horse, 1 hamster.
2. **St. Hubert's Animal Control Services Reports – 7/2005 – 12/2005.**
3. **Radon pamphlets** to be distributed with radon kits for sale thru receptionist @ Municipal Bldg..
4. **New witness for BOH – Steven Bartzak is being interviewed by the BOH as a prospective candidate.**

## F. APPROVALS

### Category A. – Single Lots

Chair Nugent noted that Mr. Fine had previously contacted the BOH office to request that his clients application be heard last. As Mr. Fine was not in the audience, #2. Block 70/Lot 17.23 was heard first.

Chair Nugent noted that Mr. Todaro was present in the audience.

### 2. **Block 70/Lot 17.23 – Parker Engr. - Siniscalco – Osage Court.**

Escrow fees paid 12/7/05, Check #5839.

Previously heard under Septic Repairs 1/18/06.

Mr. Steven Parker, P.E. in NJ; Mr. Siniscalco; and Mr. Glenn Covert, T.P. Trezza Contracting, Inc.; appeared before the board. Mr. Parker stated this is a proposal for a new septic system to replace a malfunctioning system which is backing up into the house and surfacing on the ground, this is for a 4 bedroom home, no expansion. This is a peat biofiltration septic system, the existing tank will be utilized, will then flow through the peat filter, then be pumped up to a disposal bed. It will be pumped because of the distance away from the tank in the backyard. The disposal field is sized in accordance with state standards, with no reduction. This manufacturer of peat systems is essentially the same as the one which was previously reviewed by the board. The guidance document issued by NJDEP indicated these systems are beneficial for environmentally sensitive areas where a higher level of treatment is desired, allowing for a reduction in size. Mr. Parker described the operation of the peat system. The maintenance on this system is an annual inspection, which is included as part of the purchase price. The manufacturer recommends a maximum of 8 years on the replacement of the peat, depending on the annual inspection. An effluent filter is recommended, which prolongs the life of the peat filter.

Chair Nugent asked if the frequency of the pump outs as approved at the last BOH meeting had decreased at all.

Mr. Tony Siniscalco, homeowner stated with normal household used, no, it hadn't decreased. The Ecoflo company's experience indicates that the peat lasts between 8 – 12 years before replacement, it is inspected every year.

Ms. Butula raised the following concerns:

- o If Mr. Parker has installed this type of system before, and when ?  
Mr. Parker stated 2, about a year ago.  
Ms. Vaccarella stated the Guidance Document was approved in April 2005.
- o Who is doing the maintenance?  
Mr. Glenn Covert, Trezza Contracting, stated he is in direct contact with the manufacturer, and he would be doing the maintenance.
- o Is Mr. Siniscalco involved in any way in the Ecoflo company?  
Mr. Siniscalco stated no, he researched the system as a homeowner.
- o Is this bagged or loose peat?  
Ms. Vaccarella stated this is loose.
- o Is there a temperature issue?  
Mr. Siniscalco stated there is no indication that the temperature in NJ throughout the year would effect it.

There was some discussion of installations in some southern states.

- o Did Mr. Siniscalco receive a copy of the requirements.

Mr. Siniscalco stated yes.

Ms. Muir asked if the disposal of the peat after 8 years was considered a bio-hazard.

Mr. Parker stated yes, it is pumped out by a septic pump truck.

Ms. Vaccarella stated it is essentially the same as pumping out septic tank sludge.

There was some discussion of the quality of the effluent coming out of the peat filtration system. Ms. Muir stated she would like to see some scientific studies out of NJDEP on these systems. Ms. Butula asked Mr. Parker to testify that there is no water course within 100' of this system. Mr. Parker stated yes.

Chair Nugent stated the following concerns:

- o The proposed model has a 600 gal./day capacity vs. the state requirement of 650.  
Mr. Parker stated the design information indicates one 650 is sufficient for 4 bedrooms.
- o The inlet *inaudible* to the peat moss module is 38" off the bottom of the peat moss, then falls a certain distance before it encounters the peat.

Mr. Parker stated going by their diagram may not represent an exact representation.

Ms. Vaccarella stated she has seen the installation of these systems and asked Mr. Covert to explain if there were 38" of peat in the module, and how it fits in there.

Mr. Covert stated the peat is below the inlet, and thought it was 32", not 38.

Chair Nugent stated regarding the placement of the module, it appears that it will be below 20" from grade, about 2 feet further below 20". The guidance document states the total zone of treatment must be above the regional zone of saturation.

Mr. Parker stated the module is water tight.

Mr. Siniscalco was sworn in.

Ms. Butula asked what the life of the sealed tank was.

Mr. Siniscalco stated the history of these tanks is that this particular design has been in the ground since 1989.

Mr. Facinelli asked if this is one sealed unit.

Mr. Siniscalco stated it is delivered as one piece, just the top comes off at ground level for maintenance.

Mr. Covert stated there is a seal, of tarlike material that is on top.

Ms. Butula asked if there were any history of leaking.

Mr. Parker stated more often than not leaks are contractors errors, whether conscious or not. They should be sealed, cemented and grouted around all the joints, pipe fittings, risers. This type of system would lend itself to ease of repair because the peat itself can be replaced, rather than the entire field.

Ms. Butula confirmed that at the 8 year inspection, the components would be checked.

Mr. Parker stated even at the 1 year inspection, if you opened the tank, you would know if it was leaking.

Mr. Facinelli asked how big the pump tank was.

Chair Nugent stated that would be addressed next. The pump tank minimum is 650 gallons plus the capacity of the piping to go all the way to the bed.

Mr. Parker stated the tank is 40 some gallons, either the reserve area or two pumps could be provided.

It is not likely that that could be used in this case, although it is a better design if you can do it.

Ms. Vaccarella asked if the reason that conventional pump system tanks are as large as they are is to provide an extra capacity for those types of failures, for storage, where the peat module unit could be used in that regard if the alarm went off.

Mr. Parker stated yes.

Chair Nugent noted that the design before the board does not take into allowance the state code ability to have a smaller tank by having two pumps, and or the properly sized tank, one of the two have to be presented. Also, what is the distance between the outer edge of the bed and the drainage easement?

Mr. Parker stated 38'.

There was some discussion of whether or not the drainage easement is a water course.

Chair Nugent read into the record the definition of a stream corridor of which the 100' requirement applies "Ordinance 49-2002 An ordinance amending the land development ordinance of the Township of Readington, Hunterdon County, NJ of December 1992 as hereto for supplemented and amended, stream corridor shall mean the stream channel, the beds and banks of the stream which confine or conduct continuously or intermittently flowing water".

Mr. Hansen stated that is a little different than the watercourse per the State's understanding. The township has a stream corridor to protect even intermittent type of things. To put it in the right context, when it rains, if this was a curbed driveway, you will have water flowing long the curb in times of heavy rain, this is a channel to

take water from another property and transfer it to Osage Ct., where it can be collected by the storm water system, it doesn't appear to be anything else.

Ms. Moore asked if this were a man made drainage from Osage to a storm drain.

Mr. Parker answered yes.

Mr. Hansen stated yes, it is to take water from one property, and get it to somewhere to be collected.

There was some discussion of the depth of zone of treatment.

Mr. Parker stated the highest evidence of ground water was 95.3, the elevation at the level of infiltration was 96.2.

It was determined that the home is a 4 bedroom home.

Chair Nugent raised the concern of the output of the peat module being piped into the bottom of the pumping tank.

Mr. Parker stated there was a concern of the depth in the ground, there is a pump tank with limited capacity in compared to what the state requires. The flow out of it should drain through. The deeper excavation would be preferable, but is not realistic. The State has recognized that the quality of effluent coming out of the filter has been improved to the extent that they allow a reduction. The pump can handle anything that comes out of the peat filter.

Chair Nugent stated he was very uncomfortable with the pump tank sizing and being at the same elevation as the bottom of the peat moss module.

Ms. Butula asked if the maintenance contract covered a specified time for emptying the septic tank.

Mr. Siniscalco stated basically, it advises to pump out the tank every 2 – 3 years.

Mr. Covert stated that NJDEP mandated that the inspections are done annually.

There was additional discussion on the following:

- .4 power pump, agreed upon as sufficient size.
- Signature on maintenance agreement – Ms. Butula presented maintenance agreements from 2 other sources, including a detailed description of what is performed as part of the annual maintenance.
- Ms. Butula noted 3 party components -
  - o Mr. Parker designing.
  - o Trezza Construction installing.
  - o representative of Ecoflo maintaining.
- 1,000 gallon tank with the effluent filter is sufficient, per Mr. Hansen.
- Inspection of existing tank, described by Mr. Parker.
- Bedsize is based on 1.61 sq. ft./gal., Mr. Parker confirmed.
- Unwitnessed soil logs – as stated in Ferriero's letter. Mr. Parker confirmed that the area which was tested is the best area on the property. Mr. Chalupa's report had indicated unwitnessed holes which were dug on the property, and have been since filled in.

Chair Nugent noted additional analysis to be performed by the engineer of record, and a template for a motion that counsel and subcommittee have drafted for the boards use.

Mr. Parker stated they would like to get a sense of the boards opinion of the peat system, the items the board had brought up so far did not seem like major obstacles.

Ms. Butula stated she would like to speak to Mr. Miller of NJDEP about the above the regional ground level, and also to see the extensive NJ installation citing procedural text.

Chair Nugent asked if the board would entertain an approval this evening.

Mr. Facinelli stated there seem to be benefits to these systems, in certain situations with unsuitable conditions, in this case particularly, because the applicant is knowledgeable with what he is getting. That being said, before giving formal approval this board has typically asked to have the complete data before them, especially this being the first peat biofiltration system. Mr. Facinelli stated he did not feel the board would want to change practice in that regard.

Ms. Muir concurred with Mr. Facinelli, this is the first one, an experimental system. Any system can fail given the right circumstances. Ms. Muir stated she would not give a conditional approval on this, everything should be completed before a decision is made.

Ms. Moore stated she would approve a peat moss system, after the applicant has complied with the boards requests.

Dr. Allen stated he is not against peat systems, he agrees with Mr. Facinelli, in certain cases they are a good idea, but the board should proceed with caution.

Chair Nugent stated there is value in the technology and installation. If all questions were answered, and the

paperwork was in front of him, he would approve it. To expedite the process, the engineer should provide the answers and get them back to the board for review and approval.

Mr. Parker summarized the following list:

- Capacity – gallons/day, need 1 or 2 units.
- Depth of the peat. 32” or 38”.
- Input from Mr. Miller regarding bottom unit installation below water table.
- Detailed installation maintenance procedure.
- Size of pump tank, including elevation issue.
- Pump curve capacity to achieve 300’ lateral run. (*inaudible*)

There was some discussion of how quickly this information could be provided to the board, Chair Nugent stated there is the possibility of a special meeting.

### **1. Block 13/Lot 3 – NJ Septic - Todaro – Mill Road.**

Escrow fees paid 4/7/01, Check #1577 \$500.00; 10/18/05, Check# 1977 \$500.00.

Previously heard 4/18/01, 5/16/01, 6/20/01, 7/20/05.

Data mailed with 7/20/05 packet.

Mr. Doug Fine, P.E. in NJ and applicant Mr. Todaro appeared before the board. This application was previously heard in 2001. Permeability test results were brought to the board, resulting in the board requesting 8 weeks of ground water monitoring. Time elapsed, and subsequently pit bails were monitored for 8 weeks in accordance with the ordinance. A single family dwelling, new construction is proposed for this 2+ acre lot. A mounded disposal system is proposed.

Chair Nugent asked for an explanation of soil log 1 reading 22 ½” in the first monitoring period and 38 ½” in the second, and soil log 2 reading 7 ½” in the first and 27” in the second.

Mr. Fine confirmed that the board had all the ground water readings from the witness, and presented the board with a letter from witness Mr. Enea, which stated that the readings of February 15th had been quite high. It was determined that it was because of heavy rains, heavy thawing, and the sinking of the soil over the pits. The excavator returned to the site and mounded the soil on the pits.

There was some discussion of the malfunction of the backfill causing the holes to collapse.

Ms. Moore asked if an LOI was done on this property.

Mr. Fine stated no, however, a letter dated 12/28/05 from Brian Cramer, wetlands scientist attested to the lack of wetlands or transition areas on the property.

Mr. Hansen stated that he has been involved in doing soil testing for 15 years, if it is not backfilled right, you are going to get some sinking, if you don’t use the right machine, and you can’t get enough soil mounded, it could happen. He was not at this site, but as to the possibility of it, it could happen.

Chair Nugent asked if the depth to ground water readings could be almost astronomical.

Mr. Hansen stated it is possible, it depends, you could have different soil layers being put back in, that could be the reason for the difference.

There was some discussion of the options for this application.

A **MOTION** was made by Ms. Butula for **approval** for Block 13/Lot 3, map named Septic System Design for Tony Todaro, 65 Mill Road, Readington Twp., Hunterdon County, dated 6/9/05, revisions 12/28/05 p. 2 of 8, prepared by Douglas Fine, surveyor David. M. Newton, new construction. There is a letter from Ferriero Engineering dated 12/1/05, and 1/16/06.

For the primary, soil log 1 and soil log 1B both performed on 1/18/05, soil log 1, mottling from 44” through 87”, soil log 1B there is mottling from 48” to 53” and 64” to 80”. Permeability test is pit bail 1 done 1/18/05, passing. In season ground water monitoring was started 1/25/05 – 2/22/05. Restarted 2/22/05 – 4/26/05. Testimony stated the use of inadequate equipment and severe weather conditions, water was flowing back in because of caving mound systems, surface runoff going back in. Mr. Fine’s professional testimony, witness Mr. Enea’s report, and undated document attest to this sequence of events happening. Ground water monitoring done 4/5/05 reading of 38.5” was to be used as the ground water level.

For the reserve, soil logs 2 and 2B done on 1/18/05. Mottling in 2 from 25 to 40” and 64 to 85”, seepage at 90”; 2B, mottling 26” to 114”, seepage at 81”. Pit bail 2 done on the 18<sup>th</sup>, passing, same description as for the primary, the initial stoppage of the test on the 22<sup>nd</sup>, triggered by the 2/15/05 level of 7.5”, resuming on 2/22/05, achieving on 4/5/05 25”, soil log 2. The high level was 27”, previous testimony given in 2 documents by our witness. Wetland evaluation submitted by Brian Cramer, Wetlands Specialist dated 12/28/05, stated “signs of wetland hydrology were not observed anywhere on or in the vicinity of the subject property. This is a pump system, maintenance to be done and deed recorded with the county clerk’s office.

This motion was seconded by Mr. Facinelli. On roll call vote the following was recorded :

Chair Nugent noted an error pg. 2 of 8, Lot 6 is noted, and should be Lot 69. Is the position in the radius of the circle of the well correct? And what are the distances of the wells on the adjoining properties ? Is the notation of Ridge Road a typo?

Mr. Fine stated the radius if the well is correct, the property owner was not certain there was a house on adjoining properties, Ridge Road is a typo.

Dr. Allen	No	Stephanie Moore	No
Ms. Butula	No	Ms. Muir	No
Mr. Facinelli	Aye	Chair Nugent	No, if there is a well on the adjoining property, and is too close to where the reserve area is, we’re in trouble.

Mr. Fine recapped, the lot number should be changed to 69, lots 2 and 4.01 well location, or note lack of.

#### **G. ADJOURNMENT**

A **MOTION** was made by Ms. Muir, to adjourn at 10:55 pm, seconded by Ms. Moore with a vote of Ayes all, Nays, none recorded.

Respectfully submitted:

Lorraine Petzinger  
Board of Health Secretary