

**READINGTON TOWNSHIP BOARD OF HEALTH
REORGANIZATION MEETING**

January 16, 2008 7:00 pm

- A. Marisa A. Taormina, Esq. called the meeting to order at 7:18pm and announced that all laws governing the Open Public Meetings Act have been met and that this meeting has been duly advertised.
- | | | | | | |
|--------------------|---------|--|--------|-------------------|---------|
| Christina Albrecht | present | Raymond Facinelli | absent | William C. Nugent | present |
| Daniel Allen | present | Beatrice Muir | absent | Wendy Sheay | present |
| Jane Butula | present | Also Present: Board of Health Attorney: Marisa A. Taormina, Esq.
Hunterdon County Health Dept.: Debra Vaccarella | | | |

- B. **SWEARING IN OF MEMBERS** – by Marisa A. Taormina, Esq.
Ms. Taormina swore in the following Board of Health members:
William C. Nugent - for a term of three years.
Tanya Rohrbach - for a term of two years (alternate).

- C. **NOMINATION OF CHAIRMAN, one year term.** - by Marisa A. Taormina, Esq..
Ms. Taormina asked for nominations for Chair of Readington Township Board of Health.
A motion was made by Ms. Butula, seconded by Ms. Albrecht, to nominate William C. Nugent for Chair of Readington Township Board of Health for the year 2008. On roll call vote, the following was recorded:
- | | | | | | |
|--------------|-----|------------|-----|--------------|---------|
| Ms. Albrecht | Aye | Ms. Butula | Aye | Ms. Rohrbach | Abstain |
| Dr. Allen | Aye | Ms. Sheay | Aye | | |

Chair Nugent thanked the Board.

- D. **NOMINATION OF VICE-CHAIRMAN, one year term.**
Chair Nugent asked for nominations for Vice-Chair.
A motion was made by Ms. Albrecht, seconded by Ms. Sheay, to nominate Jane Butula for Vice-Chair of Readington Township Board of Health for the year 2008. On roll call vote, the following was recorded:
- | | | | | | |
|--------------|-----|--------------|---------|--------------|-----|
| Ms. Albrecht | Aye | Ms. Butula | Aye | Chair Nugent | Aye |
| Dr. Allen | Aye | Ms. Rohrbach | Abstain | Ms. Sheay | Aye |

Ms. Butula thanked the Board.

- E. **APPOINTMENT OF SECRETARY, one year term.**
A motion was made by Ms. Albrecht, seconded by Ms. Butula to appoint Lorraine Petzinger to the position of Readington Township Board of Health Secretary for the year 2008. On roll call vote, the following was recorded:
- | | | | | | |
|--------------|-----|--------------|---------|--------------|-----|
| Ms. Albrecht | Aye | Ms. Butula | Aye | Chair Nugent | Aye |
| Dr. Allen | Aye | Ms. Rohrbach | Abstain | Ms. Sheay | Aye |

Ms. Petzinger thanked the Board.

- F. **APPOINTMENT OF BOARD OF HEALTH ATTORNEY, one year term, Resolution BH-R-2008-2.**
A motion was made by Ms. Albrecht, seconded by Ms. Sheay, to appoint Marisa Taormina as the Readington Township Board of Health Attorney for the year 2008. On roll call vote, the following was recorded:
- | | | | | | |
|--------------|-----|--------------|---------|--------------|-----|
| Ms. Albrecht | Aye | Ms. Butula | Aye | Chair Nugent | Aye |
| Dr. Allen | Aye | Ms. Rohrbach | Abstain | Ms. Sheay | Aye |

Ms. Taormina thanked the Board.

- G. **APPOINTMENT OF BOARD OF HEALTH ENGINEER, one year term, Resolution BH-R-2008-3.**
A motion was made by Ms. Butula, seconded by Ms. Albrecht to approve the resolution to appoint Ferriero Engr. as the Readington Township Board of Health Engineer for the year 2008. On roll call vote, the following was recorded:
- | | | | | | |
|--------------|-----|--------------|---------|--------------|-----|
| Ms. Albrecht | Aye | Ms. Butula | Aye | Chair Nugent | Aye |
| Dr. Allen | Aye | Ms. Rohrbach | Abstain | Ms. Sheay | Aye |

H. APPOINTMENT OF HYDROGEOLOGIST, one year term. Resolution BH-R-2008-4.

A motion was made by Ms. Butula, seconded by Ms. Albrecht, to approve the resolution to appoint Matthew Mulhall, M2 Associates as the Readington Township Board of Health Hydrogeologist for the year 2008.

On roll call vote, the following was recorded:

Ms. Albrecht	Aye	Ms. Butula	Aye	Chair Nugent	Aye
Dr. Allen	Aye	Ms. Rohrbach	Abstain	Ms. Sheay	Aye

I. Resolution BH-R-2008-1 CONFIRMATION OF 2008 BOARD OF HEALTH MEETING DATES FOR THE THIRD WEDNESDAY OF EACH MONTH, BE IT FURTHER RESOLVED, that the following meeting dates be confirmed for publication:

o January	16	o July	16
o February	20	o August	20
o March	19	o September	17
o April	16	o October	15
o May	21	o November	19
o June	18	o December	17

A motion was made by Ms. Albrecht to approve Resolution BH-R-2008-1 to confirm the meeting dates for 2008.

This motion was seconded by Ms. Sheay, on roll call vote, the following was recorded:

Ms. Albrecht	Aye	Ms. Butula	Aye	Chair Nugent	Aye
Dr. Allen	Aye	Ms. Rohrbach	Abstain	Ms. Sheay	Aye

J. APPROVAL OF THE MINUTES

1. Minutes of December 19, 2007. (*-Albrecht, Allen vote*).

The minutes were deferred to the February 20, 2008 meeting.

K. CORRESPONDENCE

1. NALBOH and NJLBH 2008 renewals.

A motion was made by Ms. Butula, seconded by Ms. Albrecht to renew this combined membership.

This motion passed with a vote of ayes all, nays none recorded.

2. Suspected Hazardous Discharge Notification letter dated 12/5/07
substance - heating oil at 515 Locust Road.

3. Suspected Hazardous Discharge Notification letter dated 12/6/07
substance - heating oil at 9 Weather Hill Road.

4. Suspected Hazardous Discharge Notification letter dated 12/6/07
substance - heating oil at 44 Pulaski Road.

5. HCHD LINCS - dated 12/14/07 – Public Health Advisory- Merck Vaccine Recall.

Ms. Butula stated that Merck was extremely proactive on this, given the remote possibility that there may be a problem.

6. HCHD LINCS - dated 12/14/07 –Public Health Information – newsletter “The Guardian”.

Ms. Butula noted the high number of Hepatitis C in our county.

7. HCHD LINCS - dated 12/31/07 – CDC Health Advisory- Investigation of Int’l. Traveler with MDR TB.

Chair Nugent noted for the record, the contact for possible exposure is American Airlines flight 293 departing from New Delhi, India on 12/13/07, arriving in Chicago, IL on 12/13/07. This includes 44 passengers, seated in the same row as the indexed patient, row #35, and the 2 rows ahead, and 2 rows behind, as well as the crew members working in the same cabin.

8. Block 70/Lot 31.01 Eastern States Environmental Assoc. Inc. - LOI application.

9. Hunterdon Healthcare – January 31, 2008 seminar on MRSA.

Chair Nugent asked if there were any other correspondence items.

Ms. Albrecht noted from F. A. 2. Block 4/Lot 22 on the 12/19/07 agenda, there was a letter with attachments from Amertech Env. Consultants, indicating the subject property having no wetlands. There was an aerial

photo referenced, that is not attached.

Chair Nugent stated he had intended to address this under Old Business.

There was some discussion of the qualifications of the wetlands expert on this property.

L. SEPTIC REPAIRS

1. Septic System Repair Approval from HCHD, B 50/L 24. *Final Field 12/19/07*
2. Septic System Repair Approval from HCHD, B 45.02/L 48. *Final Field 12/21/07*
3. Septic System Repair Approval from HCHD, B 48.01/L 26.17. *Final Field 12/31/07*
4. Septic System Repair Approval from HCHD, B 69/L 1.03. *No work done as of 1/9/08*

M. OLD BUSINESS

1. **65/7 revisions per 11/21/07 approval**, 11/27/07 revisions incl.rewording to remove word “tentatively”.
2. **50/32 revisions per 11/21/07 approval**, 12/5/07 revisions incl.addition of swale per BOH review.
Ms. Taormina confirmed that the above revisions had been received by the Board of Health office.
Ms. Petzinger stated they had been received.

N. NEW BUSINESS

1. **St. Hubert’s Animal Control Services Reports – 6/2007 – 11/2007.**

Chair Nugent noted that the missing pages were provided at the board members stations this evening.

2. **Hunterdon County Partnership for Health** www.whatyouneedtoknowhunterdon.com

Ms. Butula stated she would like to update the board on the progress of the Hunterdon County Partnership for Health. Ms. Butula is on Strategy 4 which is substance abuse, whether it is tobacco, alcohol or drugs and the risk behaviors that go along with that. There is a website available for additional information about addictions and the resulting behaviors, contacts and where to get help. Their goal is to break down the attitude that this county does not have these problems. A survey has indicated that the problems exist, and they need to be addressed.

This information is being distributed throughout the county, through numerous resources, and will be an ongoing process. It will go through 12 months, each month with a focus topic.

Ms. Butula stated the services are available, their goal is to bridge the community to believe they have the problem, and to access the services.

O. APPROVALS

Category A. – Single Lots

1. **Block 70/Lot 27.18 – Edwards Engr. Group, Inc., Mann, Apple Tree Rd.**

Escrow fees paid 10/22/07. Check #1033 \$750.00.

Previously heard 12/19/07.

Mr. William Edwards, NJ licensed professional engineer appeared before the board with Mr. Phil Cacossa, also NJ licensed professional engineer and former property owner that sold to the Mann’s. The hearing last month raised the concern of the township’s witness soil log vs theirs. They have elected to model their log after the witness’. The system has been raised to account for the mottling, and has been revised on drawing C.2.0. The unwitnessed test pit investigation which was performed in April was also added. A revised soil log 2b has been revised and submitted to Ms. Petzinger before the meeting, log 2 of 2 dated 8/6/07.

There was some discussion of the revised Form 2b. Mr. Edwards changed and initialed the regional zone at 29”. Ms. Butula suggested that a fully corrected, signed/sealed form be submitted to this board within 5 business days. Ms. Sheay stated there was a minor discrepancy between the witness data and the engineering data for the depth of the basin flood. The witness noted the depth at 72”, the county’s form is 75”.

Mr. Edwards stated the measurement was 75”, which was taken in the middle.

Chair Nugent asked if there would be any impact to the design if it were to change from 72” to 75”.

Mr. Edwards stated no, because the bed is 2’ below the restricted horizon, it doesn’t change any elevations.

Chair Nugent confirmed that they were referring to the latest map dated 6/6/07, revision of 12/21/07.

A **MOTION** was made by Ms. Sheay, to **approve** this application for Block 70/Lot 27.18 located at 18 Appletree Road. This is an alteration with no expansion to repair a malfunctioning system. The design will be gravity flow, fill enclosed, mounded soil replacement disposal bed with installation of 1,000 gal. septic tank. The applicant is Johnny Mann, the engineer is William Edwards. The correspondence includes Hunterdon County Health Dept. letters dated 7/17/07, 8/1/07, 8/8/07, 10/23/07 and 12/24/07. Edwards Engineering Group letters to the Board of Health dated 7/23/07, 8/3/07, 10/19/07, 12/28/07. Edwards Engineering Group letters to Hunterdon County Health Dept dated 10/19/07. Wetlands statement letter dated 10/4/07 from previous homeowner Phillip Cacossa, PE, stating there are no wetlands on the property. Hunterdon County Soil Conservation District letter of certification dated 6/11/07. The maps are entitled Existing Conditions Site Demolition and Soil Erosion and Sediment Control Plan dated 6/6/07, revision 12/21/07 – Add unwitnessed exploratory test pit data to plan; and Septic System Design Replacement System for Lot 27.18/Block 70, dated 6/6/07, revised 12/21/07, states raised bed per presence of mottling at 29” per Readington Township Board of Health. The surveyor is William Scott, professional land surveyor. Two soil logs were done on 5/17/07, soil log 1, depth 114”, no mottling, seepage at 93”, the 24 hour static water level reading was 88”. Soil log 2, depth 108”, mottling 29”, seepage at 80”, the 24 hour static water level reading was 69”. The regional zone of saturation is 29” due to mottling in soil log 2. Permeability test was basin flood BF1 in soil log 1, dated 5/17/07, depth is 75”, result passing.

Ms. Taormina noted on 2B underneath the description the perched zone of saturation was crossed out. The regional zone of saturation at 69” also has to be modified under the description area.

Mr. Edwards stated he would modify that tonight, and then submit signed/sealed corrected changes.

This motion was seconded by Ms. Butula. On roll call vote the following was recorded:

Ms. Albrecht	Aye	Ms. Butula	Aye	Ms. Sheay	Aye
Dr. Allen	Aye	Ms. Rohrbach	Abstain	Chair Nugent	Aye

Chair Nugent noted the following applicant which has deferred to the 2/20/08 meeting. The board will move along to the 3rd application, Block 14/Lot 14.06 – Bayer Risse Engr., Greywall, Ryland Rd.

2. Block 64/Lot 24.08 – Kurt Hoffman Engr., Geddis, Harvest Row

Escrow fees paid 1/3/08. Check #1920 \$750.00.

3. Block 14/Lot 14.06 – Bayer Risse Engr., Greywall, Ryland Road

Escrow fees paid 12/19/07. Check #1066 \$750.00.

Mr. Bill Jupinka, NJ licensed engineer appeared before the board representing this applicant. This application is for a septic alteration for a 4 bedroom home, no expansion or change in use. The existing system consists of a septic tank and single disposal lateral, 3 – 4’ in depth, malfunctioning due to limited size and improper soils where it is placed. Four soil logs were done on the property, no groundwater or mottling anywhere. The set of logs in the front encountered a fractured shale about 60%. A basin flood was begun, then abandoned due to the sand found in the rear of the property, there were much better soils in the rear. A gravity fed design, bottom line soil replacement, set outside the well circle and does not encroach upon any neighboring wells or disposal areas.

Chair Nugent stated the basin flood that was abandoned should be clarified.

Mr. Jupinka stated the basin flood was started by their technician, Ted Bayer, some other holes were dug in the rear of the property, and better soils were encountered. The basin flood was draining but in light of the sand soils, they were able to complete the testing in one day.

Ms. Butula noted the original system failed in the back of the house also, and asked if the soils in the new location were that different.

Mr. Jupinka stated yes, the horizon that the system is designed to is a silt loam that extends down to 8’ or so. Past the 8’ is the sandy soil.

Ms. Butula asked which survey is being used, the one by Jack Held, involving this area of land that is occupied but not held in deed, or the usual survey done by Mr. Saladin, and also would counsel advise.

Mr. Jupinka stated the property survey, the boundary line information, house location is provided by Jack Held, Mr. Saladin provides the topography.

Ms. Taormina asked if Mr. Jupinka was aware of any of the details of the area delineated on the map.

Mr. Jupinka stated approximately 250' beyond the property is a farmed area that they are using for their horses.

Ms. Taormina stated that for this application the code is being adhered to, what is going on beyond that property is not within the purvey of this board. It is not part of the deed.

There was some discussion of the soil permeability class rating test in soils that are the K0 – K1's.

Mr. Jupinka stated this soil does not fit that criteria.

Chair Nugent stated the wording of the ordinance is that it shall not be used in soils that are predominantly, as listed, one of which is silt loam.

Mr. Jupinka stated the predominant soil down to the 8 or 9' level is silt loam to be replaced with select fill.

It was determined that conditions were very good, but the intent of the ordinance was questioned. It was determined to make the best decision based on the data and the engineers testimony.

There was some discussion of a waiver for this particular case.

Ms. Taormina stated this is up to the interpretation of the board and is the correct way to proceed with this application.

Chair Nugent asked for the County's input on the soil permeability class rating test that was performed.

Ms. Vaccarella stated a basin flood only gives you a pass or fail, is it a massively restrictive horizon or not. This is a K3, an excellent permeability rating, so that is going to drain. The only additional thing that she would suggest is that maybe the board would want, if you are going to use the soil permeability class rating, do some kind of permeability above that, if you are concerned about the above areas, truly the answer is we go through hydraulically restrictive horizons all the time and hit a non soil, do a basin flood and we are never concerned about the hydraulically restrictive horizons being permeable. We are concerned about them being sources of regional water tables, but we're not saying that was a bad clay area. The board may want to get some more samples in upper horizons to prove that it is bad if they are going to use the class rating test.

Ms. Butula stated she agreed with that, and would add that to the ordinance.

A **MOTION** was made by Ms. Butula to **approve** this application for Block 14/Lot 14.06 from a map named Septic System Alteration Design and Existing and Proposed Conditions, 8 pages, page 3 of 8, dated 12/14/07, no revisions, prepared by Theodore H. Bayer, licensed NJ engineer. The surveyor was Charles Saladin, licensed land surveyor, dated 12/14/07. Hunterdon County Health Dept. letter dated 1/3/08. This is an alteration with no expansion for a gravity distribution soil replacement system. For the primary, soil logs done 12/11/07, 1211-3 @ 153, no mottling, no seepage, no regional water and no hydraulically restricted horizon and 1211-4 @ 150, no mottling, no seepage, no regional water and no hydraulically restricted horizon, permeability test done in 1211-4 @ 135" was a soil permeability class rating test TA-1, samples A and B, collected on 12/11/07, results K3. There is a note on pg. 3 of 8, note 1 stating the proposed design does not encroach on any wetlands or wetlands transition areas, note 2 says there are no neighboring disposal systems within 50' and no neighboring wells within 100' of the proposed system. This board is going to grant a waiver from Ordinance 6.1c regarding permeability class rating testings, and the disallowance of the test because the horizon within which the test is performed meets the standard of the ordinance.

This motion was seconded by Ms. Sheay. On roll call vote the following was recorded:

Ms. Albrecht	Aye	Ms. Butula	Aye	Ms. Sheay	Aye
Dr. Allen	Aye	Ms. Rohrbach	Abstain	Chair Nugent	Aye

4. Block 60/Lot 16.02 – Bohren & Bohren, Matonis, Paterson Rd.

Escrow fees paid 6/26/07. Check #8691 \$750.00.

Previously heard 12/19/07.

Mr. Robert Templin, NJ licensed engineer appeared before the board. At the 12/19/07 meeting the board had some concerns, one of which was that the pressure dosed system was for 1.33 gals. per sq. ft. The design has been changed to 1.61, per the code. Secondly, the forms have been revised to reflect that the basin floods are at the depths that the township witness has on his forms. Third, the reserve area has been made shorter and fatter so that it will fit into the envelope that is left after the primary system is installed. The distance from the proposed bed to driveway will be approximately 4'. There was also a concern with the wetlands expert that did the investigation on the property, that resume has been submitted to the board, and indicates the qualifications necessary for the analysis. Mr. Templin stated he visited the site, and the area shown as wetlands where the brook is located is indicated, and the rest of the property is lawn. Chair Nugent confirmed that the homeowners are aware that this application is for a pump system and the requirements involved.

A **MOTION** was made by Ms. Butula for approval of Block 60/Lot 16.02 from a map named Septic Design for John Matonis Readington Township, Hunterdon County, NJ dated 6/25/07, revisions 11/2/07, 12/20/07, map and survey prepared by Robert Templin, licensed NJ engineer and surveyor. Reports from Ferriero Engr., dated 10/3/07, 11/19/07, 12/31/07. This is new construction of a 5 bedroom home. For the primary, done 3/24/05, soil log 1, @ 122" on 1/27/06, no mottling, no seepage, original depth 118", seepage and infiltration at 118". Soil log 2, done to 122", no seepage, mottling from 32 – 42". Permeability test was done at 76", basin flood 1 done 3/24/05, passing. In season ground water monitoring was done from 1/18/06 – 3/8/06 to 122", dry. Regional water is determined by the soil log 2, level at 32" because of mottling. For the reserve, done 3/24/05, soil log 3, re-excavated 1/27/06, 120", mottling from 32 – 36", seepage @ 105", soil log 4, 120", mottling from 32 – 36", seepage @ 92". Permeability done in soil log 3, basin flood 1, 84", 3/24/05, passing. In season groundwater monitoring from 1/18/06 – 3/8/06. Groundwater @ 97" in soil log 4, 109" in soil log 3, regional groundwater for this reserve area is determined by soil log 3 and 4, with mottling @ 32". LOI wetland delineation dated 5/14/07, by Ryan Warford. This application is for a deed restricted pump system, with filing and maintenance requirements as discussed with future homeowners.

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

Ms. Albrecht	Aye	Ms. Butula	Aye	Ms. Sheay	Aye
Dr. Allen	Aye	Ms. Rohrbach	Abstain	Chair Nugent	Aye

Mr. Templin and Mr. and Mrs. Matonis thanked the board.

Category B. – Subdivisions

The following applicant has deferred to the February 20, 2008 agenda.

1. Block 39/Lot 8.01 – Mantz Engr., Adner Ebib Realty Corp., Ridge Rd.

Escrow fees paid 9/21/06 Chk. #8080, \$1,000.00.; 9/12/07 Chk. # 9021 \$1,000.00

Chair Nugent asked if there were any other matters of business.

Ms. Butula noted that she would have to step down next month for the 64/24.08 Geddis application.

P. ADJOURNMENT.

A **MOTION** was made by Ms. Albrecht to adjourn at 9:53 pm, seconded by Ms. Sheay with a vote of Ayes all, Nays, none recorded.

Respectfully submitted:

Lorraine Petzinger
Board of Health Secretary