

READINGTON TOWNSHIP BOARD OF HEALTH MEETING

August 19, 2009 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	present	William C. Nugent	present	Wendy Sheay	present
Jane Butula	present	Tanya Rohrbach	absent	Donna Simon	present
Beatrice Muir	present				

Also Present: Board of Health Attorney, Stanley T. Perlowski, Esq.
Board of Health Engineer, Ferriero Engineering, Inc. representative, Joe Kosinski
Hunterdon County Dept. of Health representative, Debra Vaccarella

A. APPROVAL OF THE MINUTES

1. Minutes of June 17, 2009. *(-Albrecht, Simon vote)*.

A **MOTION** was made by Ms. Butula, seconded by Ms. Muir to approve the minutes of 6/17/09. Ms. Butula noted that the board engineer's name should be included; pg. 2, "setting up electronic records".

On roll call vote, the following was recorded:

Ms. Butula	Aye	Ms. Sheay	Aye
Ms. Muir	Aye	Chair Nugent	Aye

2. Minutes of July 15, 2009. *(-Albrecht, Rohrbach, Sheay vote)*.

A **MOTION** was made by Ms. Butula, seconded by Ms. Simon to approve the minutes of 7/15/09. Ms. Butula noted on pg. 2, correction to the Highlands Health Bus attendance; pg. 4, typo on "peat", not "heat" system; pg.5, "Chair Nugent...questions".

Mr. Perlowski stated on page 3, "Ms. Butula confirmed" should read "asked whether"

On roll call vote, the following was recorded:

Ms. Butula	Aye	Ms. Simon	Aye
Ms. Muir	Aye	Chair Nugent	Aye

B. CORRESPONDENCE

1. NJLBHA – Newsletter, Summer 2009.

Ms. Butula noted pg. 3 has a good job description for Board members; pg.5 H1N1 Flu – What To Do? should be posted.

Chair Nugent noted the Emergency Preparedness for BOH's on 11/14/09 at Middlesex County Fire Academy.

- 2. Suspected Hazardous Discharge Notification** letter dated 7/1/09 regarding oil heating #2.
- 3. Suspected Hazardous Discharge Notification** letter dated 7/3/09 regarding oil heating #2.
- 4. Suspected Hazardous Discharge Notification** letter dated 7/11/09 regarding gasoline.
- 5. Suspected Hazardous Discharge Notification** letter dated 7/31/09 regarding antifreeze.
- 6. Suspected Hazardous Discharge Notification** letter dated 7/1/09 regarding oil heating #2.
- 7. Suspected Hazardous Discharge Notification** letter dated 7/1/09 regarding diesel fuel.
- 8. Suspected Hazardous Discharge Notification** letter dated 7/1/09 regarding diesel fuel.
- 9. Block 48/Lot 1 – NJDEP - no further action letter.**
- 10. Block 77/Lot 1 – NJDEP - no further action letter.**
- 11. HCDH LINCS – dated 7/17/09 –Update - ILI week 27.**

Chair Nugent read into record "Hunterdon County Influenza Surveillance, 7/11/09, week 27, 17 confirmed and 11 probable cases of Novel Influenza A H1N1. Statewide as of 7/15/09, 895 confirmed cases and 455 probable of the Novel Influenza A H1N1.

- 12. HCDH LINCS – dated 8/12/09 – Advisory – Early Flu Vaccinations.**
- 13. NJDEP – Freshwater wetlands LOI – Route 637 right-of-way.**
- 14. Block 69.01/Lot 13.03 – NJDEP no further action.**

15. **NJDEP** – bridge replacement – Holland Brook Rd.

Chair Nugent noted this permit was for an expansion of the bridge on Holland Brook Rd.

16. **Block 2.01/Lots 9.01 & 11 - NJDEP** – Freshwater wetlands LOI.

17. **Dental Funding** – email from J. Beckley, HCDH.

Ms. Simon attended.

18. **HCDH LINCS** – dated 8/7/09 – Advisory – CDC Updates.

19. **HCDH LINCS** – dated 8/14/09 – Advisory – Seasonal Flu and Pandemic Flu H1N1.

C. SEPTIC REPAIRS (*HCHD status in italics*).

1. Septic System Repair Approval from HCHD, B 53/L 7.01. *No work done as of 8/13/09*

2. Septic System Repair Approval from HCHD, B 70/L 19.29. *Final field 7/21/09*

3. Septic System Repair Approval from HCHD, B 45.01/L 61. *Final field 7/29/09*

4. Septic System Repair Approval from HCHD, B 67.01/L 19.32. *No work done as of 8/13/09*

Chair Nugent thanked the County for their timely response.

D. OLD BUSINESS

1. **Follow up to agenda items: E. 2. – 5/20/09, D. 1. – 7/15/09, budget reduction for Public Health Nursing services.**

- **Letter from Hunterdon County, NJ – Cynthia Yard, County Administrator dated 7/23/09 regarding Readington BOH request for assurance that budgetary decisions will not place the Township in jeopardy with compliance of regulatory Public Health mandates.**

Chair Nugent asked Ms. Vaccarella to forward this to Mr. Beckley, and to inquire as to whether or not this board should be doing anything else, or, if it is not going the way that is stated, that the board is notified early.

2. **Partnership update.**

Ms. Butula stated that the activities will get back on track in September.

3. **OEM Annex.**

Chair Nugent stated that he is currently reviewing the revised version.

4. **Septic Management at the County.**

Chair Nugent asked Ms. Vaccarella to contact Ms. Hobbs and get back with the status.

5. **BOH Ordinances – Codification.**

Chair Nugent stated that he would be working on the corrections/revisions to this with Mr. Perlowski.

6. **General Training Plan for Boardmembers.**

Chair Nugent stated that Ms. Sheay has been working on this.

7. **Subcommittee for Pandemic Influenza.**

Ms. Sheay stated that the committee is prepared to provide support. Ms. Butula stated that she has reviewed the set up of 5 prototype clinics, which are similar to the way the flu vaccine is set up. Ms. Petzinger stated that a local physician had inquired as to the preparedness of the local Board of Health, and the logistics of 2 stage flu clinics. Ms. Butula and Ms. Sheay stated that individuals are encouraged to take the responsibility on themselves to keep track of this.

8. **Ordinances requested by HCDH.**

Chair Nugent stated that he would be working on this with Mr. Perlowski in the near future.

E. NEW BUSINESS

1. **NJDHSS – Worker and Community Right to Know Act, Schools**

A. **Readington Middle School**

C. **Three Bridges School**

B. Holland Brook School

D. Whitehouse School

Ms. Vaccarella stated that there is no action required by Readington Twp. Board of Health on this.

2. NJDHSS – Worker and Community Right to Know Act, Readington-Lebanon Sewerage Authority.

A. Old Rt. 28, Whitehouse

B. Rt 523, Whitehouse

C. Main St., Lebanon Boro

This is copied to Readington Township Local Emergency Planning Committee. Chair Nugent noted that Readington Township Police should also be copied.

F. APPROVALS

Category A. – Single Lots

Heard @ 7:45 p.m.:

1. Block 70.01/16.02 – Engr.& Land Plann., Seabrook, Centerville Rd.

Escrow fees paid 4/7/09, Ck# 1240, \$750.00

Previously heard 7/15/09.

Mr. Erik Raes, NJ licensed engineer appeared before the board. This application was presented at last months meeting. The board had asked for some additional data, performance data, a letter from the property owner that they are aware of the restrictions and maintenance of the proposed peat system.

Chair Nugent stated that the Guidance Document 2008 asked if the manufacturer of the system was certified or approved by the state.

Mr. Raes stated that he did not have that information.

Ms. Vaccarella asked if the board was looking for Eco-Pur certification that they are currently approved by the State of NJ. Other systems by Eco-Pur have gone through the County and have been installed this year.

Chair Nugent stated that under B General Conditions, the Dept. will maintain a list of applicable manufacturers that have agreed to the provisions of this Guidance and have demonstrated the ability to comply with the conditions of the Guidance.

Ms. Vaccarella stated there are several sign offs that are provided to the County as part of the final sign off, the manufacturers, the engineers, the installers and also the maintenance agreement.

Mr. Raes stated it is his understanding that the NJDEP that Eco-Pur as being one of the manufacturers that have agreed to all of the guidance document.

Chair Nugent asked if Mr. Raes would be able to provide that information to the board.

Mr. Raes stated he would fax it over tomorrow.

Mr. Kosinski stated that revised Form 2 b's had been provided and were referred to in Ferriero's 8/18/09 letter.

Mr. Perlowski stated that data had been submitted showing the performance of the biofilter that was astounding.

Mr. Perlowski asked what the tough tight effluent filter was that was referenced on one of the drawings.

Mr. Raes stated it is a standard effluent filter, not very different from a filter on a regular system, that post treatment is just intended for another level of particulate removal to keep that material out of the bed. It is in addition to the Eco-Pur filter.

Mr. Perlowski asked if Mr. Raes has a copy of the Eco-Pur warranty with him.

Mr. Raes stated that he did not.

There was some discussion of what the warranty would cover.

Mr. Raes stated he felt that the warranty covered the structure, components and installation.

Mr. Perlowski stated that he would point out to the board that there are some alternative provisions in the Guidance Document, for example telemetry is an option, there is another area about the observation of a *inaudible* where there is the possibility of a *inaudible*, it is suggested that these items be resolved up front on these applications so that if there is a problem later on as to what is approved and why, there is a solid record to establish it, rather than stating subject to the Guidance Document. The checklist of issues should be reviewed by

the board and circulated among the parties, especially those peat systems already approved, and have that document filled out as an exhibit to the resolution so that later on if the board wants to know that there was a requirement for a warranty or not, it would be in the minutes of the prior meeting. Each case may not be identical, there may be instances where it would be wise to have the additional observation deep port.

Chair Nugent asked if Mr. Raes saw any value to this proposed design having a deep port.

Mr. Raes stated he did not as the water flows to a pump tank in this instance to then get it to a disposal field. It serves the same purpose, you can inspect the water quality at that point.

Chair Nugent stated for the record on the issue of telemetry vs dial-up vs whatever, what are they proposing ?

Mr. Raes stated they are equipped for future installation of either option, neither is functional at the moment. There was some discussion of whether there were two alarms.

Mr. Kosinski stated you only have one audible alarm, there is a high float off in the dosing system to the bed, you have a high water alarm in the pump tank before the peat moss system, but it will shut it off. You have one audible alarm and a cut off switch. When that cuts off, it will cut off the dose to the peat so it doesn't *inaudible (flip ?)* the peat unit and that elevated water level gets up to the pump tank, then it will trigger the alarm inside the house. The float switch is a negative float switch, if the float switch is up, the pump kicks off.

Mr. Perlowski stated the Guidance Document makes reference to the fact that the buoyancy of the floating tank should be addressed by the engineer, Mr. Raes, has that possibility been addressed in your design?

Mr. Raes stated yes, and the area where they have to worry about it is where the tank will be sitting in the ground water table.

Mr. Perlowski asked if it was a theoretical calculation ?

Mr. Raes stated if they were sitting in water, yes. There is no necessity to do it if the tank sits above the water table, which this one does.

Chair Nugent pointed out to the board members that the engineer has advised that the system is capable of but not installed with either a telemetry control panel or an active phone line equipped auto dialer, but there is the possibility of a future connection.

Ms. Vaccarella verified that since 2008 the Eco-Pur systems do all come with telemetry dial up type units.

Chair Nugent asked if there were any additional comments or thoughts.

A **MOTION** was made by Ms. Butula for **approval** for Block 70.01/Lot 16.02, a 4 bedroom house at 7 Centerville Rd., from a map entitled Seabrook Residence Individual Sewage Disposal System, Readington Township, Hunterdon County, New Jersey, dated 3/3/09, revisions 3/12/09, 5/28/09. Prepared by Eric J. Raes, licensed professional engineer in NJ. Topographic survey by James T. Sapio, professional land surveyor dated 1/9/09. Reports from Ferriero Engineering dated 5/26/09, 6/22/09, 8/18/09. Hunterdon County Dept. of Health reports dated 3/11/09, 3/26/09. This is an alteration with no expansion of a malfunctioning system. Correspondence from the engineer dated 6/8/09, also Eco-Pur sampling record received 7/22/09, a letter from property owners, Seabrooks stating knowledge of the installation of the system and their approval of the maintenance required. This will be the installation of an Eco-Pur Peat Biofilter 300 SS closed unit pressure dosed. For the primary, test pit 1, 1/21/09, @ 108", mottling 33 – 58", seepage @ 78". Test pit 2, @ 96" mottling 32 – 48", seepage @ 68". Permeability test was pit bail 1, @ 103", 1/21/09, failing 0.10"/hour. Regional water determined by test pit 2, regional water @ 32". Presence or absence of wetlands, 4/6/09 letter from E. Raes stated there were no wetlands on the property, or within 150' of the proposed system. There will be 2 pumps requiring the designated waiver. The homeowner is aware that the pumps require a deed restriction to be filed with the County Clerk's office and a copy returned to the BOH secretary within 90 days. Proper noticing has been done, there were no comments at the public meeting. One phone call came in to the BOH office regarding this. The applicant is also looking for approval for alternate technology and the fact that the pit bail was failing.

The motion for approval is being made with the knowledge that the permeability test failed. And the motion for approval is done in light of the constraints of the property, the new system is a significant improvement over the existing one, the new system will increase the protection of the community's health and safety, the installation of a peat biofilter system to further treat the

effluent that will enter the ground is an additional safeguard and the following waivers are the one for the pump. Although there is not a passing pit bail, approval is given for the peat system with the knowledge that it improves the peat system and is a qualification for the board to approve this because this additional safeguard is added to have the effluent that enters the slow permeability area that it - according to statistics from 99.9% e coli reduction before it even enters the earth – On to all the statistics given by the engineer – this gives this board a sense that it is totally a better thing for the community, it is a comfort level that the safety and health of the community especially the surrounding neighborhood is well protected. Approval is granted to install this Eco-Pur peat biofilter septic system with the following requirements. Only an authorized Eco-Pur installer may install this peat biofilter treatment system. The peat biofilter treatment system must be installed according to the directions provided in the manufacturers installation manual and the approved peat biofilter treatment system design. The peat biofilter unit must be tested for water tightness following the installation of the vessel. The authorized installer must notify the NJDEP within 1 week prior to the installation of any component of the system and shall coordinate inspections with the DEP in addition to any and all inspections required by the HCDH, They should be given a weeks notice too. The authorized installer must be present at the site at all times during the installation. The Readington Twp BOH shall require Mark Seabrook to record with the deed of the property a notice that it identifies the technology utilized, acknowledges the owners responsibility to operate and maintain system through an appropriate service provider and grants access to the property for the purpose of system monitoring and inspection. A form notice can be obtained from the Readington Twp. BOH secretary. Said notice shall be recorded with the Hunterdon County Clerk within 7 days of installation. Filed copies of the notice shall be provided to the Readington Twp. BOH secretary and Hunterdon County Dept. of Health within 15 days of the filing date. There will be a modified form for the Readington Twp. BOH so that there is one deed restrictioin, which will encompass the pump and the new alternate technology. The Readington Twp. BOH requires Mark Seabrook to provide in the event of a sale of a property, provide to the next owner of the property, a copy of the deed notice prior to entering into a contract for sale of the subject property. The Eco Pur peat biofilter treatment system shall be covered by a minimum of 5 years fully transferable warranty for all components of the peat biofilter system. In addition to the minimum 5 year warranty, the subject peat biofilter treatment system shall be covered by a renewable and fully transferable service contract which can never be cancelled. The Readington Twp. BOH shall have the authority to verify the validity of the same and to request and receive all relevant information from the service provider. Mark Seabrook must provide a valid copy of the original warranty and service contract for the peat biofilter system to the Board secretary at the time of issue and no later than 2 weeks after installation. Annually, Mark Seabrook and all future property owners shall submit written verification to the Readington Twp. BOH following the initial 5 year warranty and the 5 year service contract that a new annual service contract is currently valid and in effect for the subject system. Annual service contracts can never be cancelled. The engineer shall inspect the system at the conclusion of the installation before the backfilling is begun. The design engineer shall inspect the site 30 days after installation and ascertain proper functioning of the system. The engineer shall provide certification to the Hunterdon County Dept. of Health and the Readington Twp. BOH as to that. The service contract shall include provisions for the manufacturer or its agents to inspect the system at least once a year or more as recommended by the manufacturer to insure the system was installed and is operating properly and is functioning in accordance with the manufacturers specifications. The service contract shall also include a reasonable estimate of cost to repair any problems associated with the inadequate function of the disposal system. Prior to the execution of the service contract, the manufacturer or his agent shall provide the property owner with a copy of the current version “Guidance for Approving Alterations to Existing and Malfunctioning Systems Using Peat Biofilter Treatment Systems” prepared by the NJDEP, available on their website. It is the responsibility of the manufacturer or its agents to supply the Readington Twp. BOH with an acknowledgement signed by the property

owner that a copy of the current guidelines has been received and reviewed prior to the installation of the peat biofilter treatment system. The manufacturer or its agent shall not deliver any system components until all such documentation has been provided to the Readington Twp. BOH and the Hunterdon County Dept. of Health. The service contract shall authorize the undertaking of any maintenance or repairs determined to be necessary during any inspections or as a result of observations made at any other time, however, it shall be the responsibility of the property owner to assure proper maintenance and service of the disposal system and that all necessary permits are obtained prior to any repairs of the system. The service contract shall include but is not limited to the inspection of motors, airflow, effluent and measurement of sludge. An employee trained by the manufacturer shall conduct an inspection of the internal components and peat material and maintain the peat filter to insure that the system is functioning properly and to optimize performance. Service providers shall maintain documentation from the manufacturer that the individual performing the inspection, service or other routine maintenance is currently authorized by the manufacturer to do so. Proof of authorization and training of said service provider and all training materials utilized shall be made available to this Readington Twp. BOH and the Hunterdon County Dept. of Health upon request. Notice for failure to renew the service contract shall be directed to the Readington Twp. BOH by the service provider or its agents within 7 days from the day that that information is received by the service provider. The manufacturer or its agents shall provide on January 1 of each year to the Readington Twp. BOH identifying each system within its jurisdiction the status of the service contract, the current service provider, identification of any service problems associated with the system and the manner in which they were corrected. The peat biofilter treatment must be equipped with a telemetry control panel which is attached to an internet based interface that provides continuous remote monitoring or an active phone line equipped with an autodialer to notify the authorized service provider of alarm conditions including if power to any of the system equipment is disconnected. The system shall also include a control panel that tracks at a minimum pump time elapsed, cycle counts and high level alarm counts and other means to determine flow through the system and other system information for troubleshooting. The authorized service provider or the engineer shall complete the system start out checklist from the manufacturer. This checklist shall be provided to the Readington Twp. BOH within 15 days of installation. This approval does not exempt the current or future property owners or their agents from the responsibility to comply with other applicable Federal, State, County of Hunterdon, and Readington Township BOH ordinances. Readington Township BOH reserves the right to take any and all necessary action to compel the property owners to cease use of the system if the property owner fails to comply with the conditions contained herein. The installation of the system will be in full compliance with the Guidance Document from the NJDEP entitled "Peat Biofilter Wastewater Treatment Systems Guidance Document" dated January 2008. The applicant herein must agree to defend indemnify and save harmless this administrative authority, its officers, directors, agents and employees from any and all liability judgment costs, damages and expenses to the extent caused by or relating to the applicants peat system. The applicant shall present to the administrative authority. The reception and evidence in this hearing should be contingent upon the property being authenticated by an officer of Eco Pur who is in a position to know these facts and to certify them as true and correct. The board would like a copy of the warranty between the applicant and Eco Pur.

Ms. Butula stated that she had asked for a fax from the engineer certifying the current certification by the state of Eco Pur, and would still like to have that on file.

Ms. Butula asked if there was input from anyone else, as there was not, the motion was

Seconded by Ms. Simon, on roll call vote, the following was recorded:

Ms. Albrecht	Aye	Ms. Muir	Aye	Ms. Simon	Aye
Ms. Butula	Aye	Ms. Sheay	Aye	Chair Nugent	Aye

Heard @ 8:45 p.m.:

2. Block 72/Lot 6 – Frey Engr.; Berry Patch Learning Ctr., Rt. 523

Escrow fees paid 7/24/08, Ck# 2026, \$250; 8/13/08, Ck.# 2029, \$500; 5/19/09, Ck.# 2153 \$1555.

Data mailed with 10/15/08 approval pkt., And 6/17/09 agenda pkt.

Previously heard 7/15/09.

Mr. Leo Frey, Frey Engineering, 1117 Route 31, Clinton, NJ, licensed engineer in the State of NJ appeared before the board. Mr. John Sullivan, Soil Scientist, was also in attendance. This is for the Berry Patch Early Learning Center, there was a long discussion at the last meeting, determining that this is not an expansion, rather an alteration/malfunction. The overall queue to this facility will not be increased. There is an existing bed that was actually larger. The quantity that they are seeking is for the full build out of the facility, which is limited under township by needing additional parking spaces. Until that condition is met, the facility will be using the current number of parking spaces, 55. The soils testing determined that there was a possible artesian condition, but the in-season ground water monitoring disproved the artesian condition. Basically you are monitoring the ground water table. Whether you have a standpipe that is constructed as a piezometer or a standpipe as long as that screen across the ground water table you will be able to record the fluctuations or at least the level within the ground water table.

The critical thing is to see where the ground water table is. The standpipe is going to result in a more conservative approach.

Mr. Berry provided noticing information to Mr. Perkowski.

Mr. Perkowski asked that a copy of the list which was used for noticing be provided to the board.

Mr. Frey stated that the list would be provided.

Mr. Frey stated that at last months meeting he had provided documentation showing the footprint of the malfunctioning existing bed and the proposed bed.

There was some discussion of the number of people that the proposed system will accommodate, which is 107. Chair Nugent stated that in the signed and sealed document of the material presented at last months meeting with the engineer's letterhead dated 7/15/09, paragraph 2, last line states the 2008 state guidelines permitted 101 children per session. What is that statement saying?

Mr. Berry stated that the Darts Mill Daycare was licensed by the state for 101 students. Since then, they have increased the amount of required square feet per child, that is why the number is now down to 85.

Mr. Frey testified that there are no potable wells within 100' and no septic systems within 50' of the proposed system.

Ms. Muir stated that there is a floodplain that the property owner should be aware of, that is related to the south dam of Round Valley Reservoir, which is an earthen dam. There is a floodplain for catastrophic failure in case of some unforeseen event, that is available at the NJ Water Supply Authority in Clinton and it shows how fast the water could rise in that area. The property owner may want to be aware of it for general safety concerns.

A **MOTION** was made by Ms. Butula for **approval** of Block 72/Lot 6 based on a map named Site Plan Septic System Alteration Design for Berry Patch Learning Center, 1083 Route 523, Block 72/Lot 6, Readington Twp., Hunterdon County, NJ. Map date is 7/5/08, revisions 7/15/09. This was prepared by Leo Frey III, NJ licensed engineer. The surveyor was John Cilo, professional land surveyor, survey dated 5/9/08. Reports from Ferriero Engineering dated 10/7/08, 11/14/08, 7/28/08, 6/1/09, 8/3/08. County reports dated 7/28/08, 8/13/08. Letters from Frey Engineering dated 7/24/08, 8/6/08, 5/14/09, 7/1/09, , 7/17/09, 7/15/09 – on page 3 of 3 is a graph signed and sealed by Mr. Frey depicting the proposed disposal system and the location of the existing system proving alteration with no expansion. This is an alteration with no expansion of a malfunctioning system which will be replaced with a pressure dosed mounded soil replacement system for a building which will have a total occupancy at maximum 107 people. The engineer has testified that there has been no grade changing since the soil testing was done that is being introduced to this board. The noticing was done and copies have been given to the attorney and secretary. Testing for the primary, done 5/28/08, extended on 3/9/09 for in season ground water monitoring. Soil log 1, done to a depth of 122", hydraulically restricted horizon between 5 – 122", mottling 24 – 88", seepage @ 84". Soil log 2, @ 84", hydraulically restricted horizon between 5 – 40",

no mottling, no groundwater demonstrated. Soil log 3, 5/29/08, @ 139", hydraulically restricted horizon between 15 – 37", mottling 24 – 44", seepage @ 113", pit flooding @ 106" after 24 hours. Permeability, pit bail 1, 121" in soil log 1, 5/29/08, results KF 0.11"/hour. Pit bail 2 @ 139", soil log 3 done 5/30/08, results KF 0.35"/hour. Basin flood 1 done 5/8/08 @62" in soil log 3, failing. In season ground water monitoring dates 3/17/09 – 4/28/09, results in soil log 1, 71.5" on 4/7/09, in soil log 2 87" for all readings, soil log 3, 53.5" on 4/7/09. Regional water is determined by soil logs 1 and 3, regional water 24". An artesian condition did not exist as proved by the standpipes in the 8 weeks of testing. Using standpipes is a very conservative approach. As far as the hydraulically restrictive horizon, this area is being removed and replaced with a non restricted horizon. The pit bail is taken care of with the soil replacement system. The engineer has testified that there are no neighboring wells, noted on the site plan, within 150' of the system, and no neighboring septic systems within 50' of this system.

A report from Jeff Tariela dated 10/24/08 states that an inspection was done 10/23/08, there are no freshwater wetlands, freshwater wetland transition areas, or state open waters present on the property or within 150' of the proposed septic system site. There were no flood hazard areas, control buffers identified within 300' of the proposed replacement septic system and no indications of positive wetland hydrology. This system will use a pump, including the deed restriction and maintenance requirements. The deed will be filed with the County Clerk and a copy provided to this board's secretary.

This motion was seconded by Ms. Sheay.

Chair Nugent asked if there was anyone in the audience here to address this application, Block 72/ Lot 6, Berry Patch Learning Center.

There was no response from the audience.

On roll call vote, the following was recorded:

Ms. Albrecht	Aye	Ms. Muir	Aye	Ms. Simon	Aye
Ms. Butula	Aye	Ms. Sheay	Aye	Chair Nugent	Aye

Heard @ 9:30 p.m.:

3. Block 72/29.01 – Erica Busch, PE, Tamburrino, Hankinson Rd.

Escrow fees paid 7/30/09, Ck# 1245, \$750.00

Ms. Erica Busch, NJ licensed engineer appeared before the board. Ms. Busch stated this is a 23 year old system that a failed inspection. Testing was performed, 7 soil logs and 1 pit bail test, the highest regional water table was at 36" in soil log 5, which will be used. The other soil logs were not adequate, due to shallow refusal. The pit bail test readings were above the 2 hour stabilization, so the reading was inconsistent. The second approval is for the use of a pump.

There was some discussion of the distance from the bed to soil log 6, with the regional zone of 16".

Ms. Busch stated that the soil map indicates that this location is a transition area, so there are very diversified soils on this lot.

Chair Nugent asked about the pond which was indicated on the map.

Ms. Busch stated this is a man made pond, is not spring fed, or piped from a waterway. At the time of digging out the disposal bed, the soil will be used to fill in the pond rather than trucking it off site.

Ms. Butula asked if Ms. Busch could testify that this is in no way a wetland presence.

Ms. Busch stated yes, when she was present on the property, on 7/9/09, there was no water in the pond.

Chair Nugent asked Ms. Busch to paraphrase the letters dated 8/9/09 and 8/11/09 regarding the pit bail.

Ms. Busch stated the 8/9/09 letter addresses the two items that HCDH brought up that the board would need to act on, 1) pit bail test required 4 hours to accumulate 12", but the 2 hour stabilization was only 9.5", the K rating could not be calculated, but the 24 hour stabilization for the final reading of the K value, it was .75"/hour, indicating it was fractured rock. 2) the disposal bed is downhill of the dwelling and the septic tank but a mound is required, so even though it is downhill they need to pump.

Chair Nugent stated that there was some discrepancy in the pit bail calculations. The second line of Ms. Busch's time readings, @ 103", the hr in inches should be 4.0, not 4.5; the h in feet would be .21 not .19, and the K would be 21.3 if rounding, not 23. Similar errors occurred in all the K ratings. Why wasn't

stabilization achieved before the timing tests were done ?Ms. Busch stated the sides weren't caving in at the time, the water was just rising. The tests weren't started until the next day when there was stabilization, the first 15 minute reading was 24 hours later. A reading wastaken at about 7:30 – 8:00 a.m., then at 8:30 a.m., and it had not come up.

Mr. Kosinski stated that the bed is designed based on the permeability of select fill and there has been permeability established. Mr. Kosinski asked Ms. Busch if she considered the .75"/hour permeability to be conservative based on the fact that she had an incomplete reading.

Ms. Busch stated yes.

Chair Nugent stated that the County's calculations support what Ms. Busch has on the final K, and the design is based on the select fill, which is K 4.

There was some discussion of a variation/variance with this application.

A **MOTION** was made by Ms. Butula for **approval** for Block 72/Lot 29.01, a 3 bedroom residence at 204 Hankinson Road. This is off of a map entitled Septic System Alteration for Block 72/Lot 29.01 Readington Twp., Hunterdon County, NJ, dated 7/11/09, revision 7/28/09, prepared by Erica Busch, licensed professional engineer in NJ. Two surveys were done, by Daniel Parker, on 7/11/09, and one by Nancy J. Scott, on 8/14/09, evidencing a 25' drainage easement and a 50' road easement, which is 115' from the proposed system. HCDH report dated 8/4/09, previous report on 7/27/09. Letters from Ms. Busch dated 8/9/09, 8/11/09. This is a mounded soil replacement system with a pump. The engineer gave an explanation for soil log 6 which is 17' from the mound. There were different soil conditions between the one submitted and 5 and 7. There is also testimony on the map that there are no wells or septic on adjoining properties. The reason for failing was determined by Ms. Busch as breakout and surface ponding. The existing pond on the property was identified y Ms. Busch as a man made pond, observance on 7/9/09, an extremely wet period in Readington Township, there was no water in this depression. Testing for the primary done 7/9/09, soil log 5, @ 107.5" had slow to moderate seepage at 48 – 107.5", faint mottles at 52 – 107.5", prominent 36 – 52". Soil log 7, @ 95", had no seepage and no mottles. The permeability test was pitbail 1 @ 107", in soil log 5 done on 7/9/09, results 0.75"/hour K2. There was no in season ground water monitoring and no reserve area. Regional water is determined by soil log 5 with a regional level at 36". A request for a pump is granted, this is a deed restriction to be filed at the County Clerks office, a copy should be provided to the board secretary. The new homeowners should be made aware of the deed restriction. Maintenance and recording requirements will be provided in a document from the secretary. The board is granting a variance to the notification to approve the pitbail, it was a procedural change, the K2 was passing, the soil replacement will be a K4.

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

Ms. Albrecht	Aye	Ms. Muir	Aye	Ms. Simon	Aye
Ms. Butula	Aye	Ms. Sheay	Aye	Chair Nugent	Aye

G. ADJOURNMENT

A **MOTION** was made by Ms. Muir to adjourn at 10:30 pm, seconded by Ms. Butula with a vote of Ayes all, Nays, none recorded.

Respectfully submitted:

Lorraine Petzinger
Board of Health Secretary