

**MINUTES**

**PRESENT:** J. Burke  
M. DeSapio  
T. Kratzer  
R. Phillips  
S. Stryker  
J. Kopen, Attorney

**CALL TO ORDER**

The meeting was called to order by D. Laudенbach at 8:00 PM.

**NOTIFICATION**

In order to ensure full public participation at this meeting, all members of this Board, and members of the public are requested to speak only when recognized by the Chair so that there is no simultaneous discussion or over-talk, and further, all persons are requested to utilize the microphones which are provided for your use by the Township. Your cooperation is appreciated.

Notification of the time, date and place of this meeting has been published in the Delaware Valley News and Express Times and sent to the Hunterdon County Democrat, and has been posted in the Kingwood Township Municipal Building at least 48 hours prior to this meeting and has been filed with the Municipal Clerk.

**NEW AND PENDING MATTERS**

Nomination of Chairperson

M. DeSapio was nominated as Chairperson by J. Burke, seconded by R. Phillips.

It was moved by J. Burke, seconded by T. Kratzer and carried to close the nominations. All members present voted **AYE** on **ROLL CALL VOTE**, except M. DeSapio, who abstained.

T. Kratzer was nominated as Vice-Chairperson by R. Phillips, seconded by J. Burke.

It was moved by S. Stryker, seconded by M. DeSapio and carried to close the nominations. All members present voted **AYE** on **ROLL CALL VOTE**, except T. Kratzer, who abstained.

Approval of Meeting Dates:

February 20, 2008	August 20, 2008
March 19, 2008	September 17, 2008
April 16, 2008	October 15, 2008
May 21, 2008	November 19, 2008
June 18, 2008	December 17, 2008
July 16, 2008	

It was moved by M. DeSapio, seconded by J. Burke and carried to approve the above dates as the meeting dates for the Board of Health for 2008. All members present voted **AYE** on **ROLL CALL VOTE**.

#### Designation of Newspaper

It was moved by J. Burke, seconded by T. Kratzer and carried to utilize the Delaware Valley News as the office newspaper for the Board of Health, with the Express Times and Democrat as alternates. All members present voted **AYE** on **ROLL CALL VOTE**.

#### Approval of Minutes

It was moved by J. Burke, seconded by R. Phillips and carried to approve the minutes of November 28, 2007 and place on file. All members present voted **AYE** on **ROLL CALL VOTE**, except T. Kratzer and S. Stryker, who abstained.

#### Resignation of S. DeSapio

It was moved by S. Stryker, seconded by J. Burke and carried to accept the resignation of Board member S. DeSapio. All members present voted **AYE** on **ROLL CALL VOTE**.

#### QC Laboratories – Report of Water Testing

J. Burke stated the Township buildings and park were not on a regular schedule for water testing. The Township has contracted with QC Laboratories for the Fairview School, annually, and the Township Park, quarterly. The Township had a report from QC in regard to the testing at the Park. It came back with an elevated plate count for the water from the outside spigot. J. Burke stated the well should be chlorinated and retested.

#### Delmonte – Block 6, Lot 55 - Well Permit & Sanctions

The owner, E. Delmonte and his attorney, B. Blumberg, were present for the matter this evening.

B. Blumberg stated he was not that familiar with the procedure for the drilling of wells. E. Delmonte is doing a rehabilitation of an old home that was in very poor condition at 2 Gombosi Lane. He has been working on the rehabilitation for approximately 2 years. He dug the well in October. E. Delmonte had obtained state and county permits. He was not aware he required a local permit. E. Delmonte brought the plats into the Board of Health office on November 28, 2007. He was told the drawings were not to scale. The matter was addressed at the November 28th meeting of the Board of Health. He was not in attendance at that meeting. He received correspondence indicating he would have to provide the appropriate documentation by December 3, 2007. He came in on December 3, 2007 without a copy of the State permit. He returned again on December 10, 2007, with a copy of the State permit and was informed a penalty of \$2,000 had been assessed. He received an additional letter indicating the fine was now \$8,500. All the paperwork has been submitted and he did not intentionally violate any of the Township requirements. There were technical issues which were not complied with by E. Delmonte. E. Delmonte is hoping to have the matter resolved and requested the removal of all penalties.

E. Delmonte stated he did not remember when he became aware a local well permit was required. His engineer started the drawings on November 27, 2007. His engineer made the error in the scale of the drawing and his

well man did not provide him with a copy of the state permit. When he left the office on December 3, 2007, he did not indicate when he would be returning but that he would return when the application was complete.

J. Burke stated the permit package is complete except for the Board issuing the permit because the fine has not been paid.

### **Executive Session**

### **RESOLUTION NO. 2008-01**

**WHEREAS**, Section 7 of the Open Public Meetings Act, Chapter 231 P.L. 1975 (R.S. 10:4-13) permits the exclusion of the public from a meeting or a portion of a meeting of this public body in certain circumstances; and

**WHEREAS**, this public body is of the opinion that such circumstances presently exist;

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Health of the Township of Kingwood, County of Hunterdon and State of New Jersey as follows:

1. The public shall be excluded from the meeting or a portion of a meeting at which this public body discusses the hereinafter specified subject matter.
2. The general nature of the subject matter to be discussed is as follows:

#### **Personnel –Potential Litigation**

3. The time when the circumstances under which the discussions conducted in closed session of this public body can be disclosed to the public is as follows:

The minutes of the closed session will be made public upon conclusion, dismissal or settlement of litigation; or final resolution of agreements or personnel matters; and in any event, when appropriate pursuant to N.J.S.A. 10:4-7 and -13.

4. This resolution shall take effect immediately.
5. The Board of Health may take additional action upon returning to regular session.

It was moved by J. Burke, seconded by T. Kratzer and carried to adopt the foregoing resolution. All members present voted **AYE** on **ROLL CALL VOTE**.

It was moved by S. Stryker, seconded by R. Phillips and carried to return to regular session. All members present voted **AYE**.

M. DeSapio stated to E. Delmonte the Board is requesting you abandon the old well according to State requirements by February 18, 2008. If there are any reasons you can not provide the information by February 18, 2008, written notification must be provided to the Board prior to that date.

The Board is imposing a \$500.00 fine and no further penalties will accrue if you comply with the abandonment by February 18, 2008. The Board is requesting you also provide the well yield for the new well.

It was moved by J. Burke, seconded by T. Kratzer and carried to approve the above conditions for Block 6, Lot 55, E. Delmonte. All members present voted **AYE** on **ROLL CALL VOTE**.

## **CORRESPONDENCE**

### **PRIVILEGE OF THE FLOOR**

B. Lorentz, 363 Oak Grove Road – informed the Board that her well is polluted by boron. MEI told her to come to the Board of Health and inform them of her situation.

J. Burke stated the DEP is monitoring MEI. J. Burke further stated he is not sure you could differentiate between natural contamination and man made. The difficult part is to trace it to the point of contamination. T. Kratzer stated boron is not regulated and there are no drinking water standards for it. There has been some testing for boron and there were some higher levels around Oak Grove Road. It was emanating from Lower Oak Grove and Oak Grove Road. The DEP is aware there is a problem in that area.

B. Lorentz stated MEI tested her water for boron due to the rapid deterioration of her arsenic filter. She stated there is no filtration for boron. She has received no cooperation from the County Health Department.

M. DeSapio stated MEI contacted the manufacturer of the arsenic filter to inquire as to why it was not working properly. The manufacturer requested the water be tested for boron. MEI makes the filters for the arsenic filters.

J. MacConnell, Spring Hill Road – The Well Committee and T. Kratzer were talking about getting a grant for \$75,000 to \$100,000 for well studies, surveys, flow charts, etc.

T. Kratzer responded the grant is a Municipal Incentive Grant. There is approximately \$300,000 available. There were 17 projects approved last year.

J. Kopen stated the information would have to be provided on a volunteer basis for the well testing. There might be a confidentiality issue due to possible unfavorable results. She will review the well testing statute to see what parameters the Township can require for well testing.

### **Peat Systems**

T. Kratzer requested the secretary provide him with information on the approved peat systems in the Township. He stated, of the three approved systems, only the last one was required to provide water testing.

## **ADJOURNMENT**

It was moved by J. Burke, seconded by S. Stryker and carried to adjourn the meeting at 9:23 PM.

Respectfully submitted,

*Diane Laudenschick*

Diane Laudenschick, Secretary