

MINUTES
7:30 PM

PRESENT: J. Golden
D. Haywood
R. Patel
R. Phillips
S. Stryker
E. Niemann, Alt #1
J. Kopen, Attorney

CALL TO ORDER

The meeting was called to order by S. Stryker at 7:30 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 Hunterdon County Democrat and Courier News, 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

Proposed Well Ordinance Amendment

J. Kopen stated she had discussed the requirements of escrow in the ordinance with D. Laudenschlager. The escrow would have to be held by the Planning Board and the checklist and land use ordinances would have to be amended. D. Pierce would have to be contacted to see if an addition can be added to apply to wells and well certifications. She stated the Township has been operating up to the present time with this as an escrow even though technically the Township should not be treating them as such. The Board of Health needs to get the opinion of the Planning Board in regard to the above changes. Additional amendments could be made at a later time once the Planning Board offers their opinion in regard to escrows. She recommended, if the Board would be in favor, to adopt the ordinance as it is presented and amend it, if necessary, in the future.

E. Niemann commented in regard to V. Uhl's email on April 16, 2013 regarding the expense of the testing required in the ordinance. She inquired if any of those changes have been incorporated into the current amendment.

J. Kopen stated she had not spoken to V. Uhl today but has obtained some additional input from him. At the last meeting, Mr. Belle inquired whether there is a desire of the Board to change the provision in 153-35 relating to escrow for rehabilitation and monitoring. She had reviewed her notes and minutes from 2011. At that time, it was the Board's opinion that those escrows would be a one-time fee. Also, at the time the Board indicated they wanted to revise 153-35 to continue the monitoring for informational purposes only and remove the rehabilitation provision. The draft ordinance, at that time, did delete the provision relating to escrow for rehabilitation and only kept the informational purposes of the well water monitoring. The recommendations of the 2012 subcommittee did not include those provisions. V. Uhl provided the cost estimate using a six lot

subdivision with the rehabilitation and monitoring costs included. The total estimate would be approximately \$112,000 to \$126,000. She stated V. Uhl's suggestion was that the Board may want to consider making some changes to these provisions based on the overall costs as well as potential concerns in involving the Township in disputes between neighbors. There might be a negative impact to the Township. If the Board decided to go in the direction of what the Board of Health recommended in 2011, some of those costs would be removed. V. Uhl suggested keeping the groundwater quality monitoring but reducing the costs by requiring the testing be done annually and then bi-annually. Currently testing is required four times the first year and then two times every year after. Costs could also be reduced by specifying more narrowly the type of testing the Board would like to require. The main concern of the Board was nitrates. The cost could further be reduced by requiring the testing be done by a lab and then sent to the Township for review rather than having the testing done by the Hydrogeologist.

E. Niemann stated the Board, this evening, is amending the ordinance to allow the additional usage prompted by other than residential usage. The Board might want to forge ahead knowing the Township has more work to do on the ordinance.

It was moved by E. Niemann, seconded by D. Haywood and carried to introduce and adopt on first reading **Ordinance No. BOH 01-2013, "AN ORDINANCE AMENDING CHAPTER 153, ARTICLE 2, "NON PUBLIC SYSTEMS AND WELLS" OF THE TOWNSHIP OF KINGWOOD.** All members present voted **AYE** on **ROLL CALL VOTE**. The public hearing has been scheduled for May 15, 2013 at 7:30 PM.

The Board requested a memo from V. Uhl with his suggestions for amendments to the ordinance. The Board is considering an amendment to be introduced at the June meeting.

Block 50, Lot 9 – Delaware River Tubing – Site Plan

S. Stryker indicated the above was provided for informational purposes. He called for comments. None were given.

Minutes

It was moved by D. Haywood, seconded by E. Niemann and carried to approve the minutes of March 14, 2013 and place on file. All members present voted **AYE** on **ROLL CALL VOTE**, except R. Patel, who **ABSTAINED**.

CORRESPONDENCE

PRIVILEGE OF THE FLOOR

ADJOURNMENT

It was moved by E. Niemann, seconded by J. Golden and carried to adjourn the meeting at 8:01 PM. All members present voted **AYE**.

Respectfully submitted,

Diane Laudenschick, Secretary