

**MINUTES  
BOARD OF HEALTH  
TOWNSHIP OF CHATHAM  
JANUARY 11, 2005**

The regular meeting of the Board of Health was called to order by James Brown at 7:35 p.m.

Answering present to the roll call were Mr. Hartford, Dr. Shelley, Mr. Nachtigal, and Mr. Brown. Dr. Marano was absent.

**Adequate notice** of this meeting of the Board of Health was given as required by the Open Public Meetings Act as follows: Notice was given to both the Chatham Courier and the Morris County Daily Record on January 14, 2004; notice was posted on the bulletin board in the main hallway of the Municipal Building on January 14, 2004; and notice was filed with the Township Clerk on January 14, 2004.

**Selection of Board of Health President**

Mr. Brown called for nominations for Board of Health President for the year 2005. Dr. Shelley nominated Jim Brown as President. Mr. Nachtigal seconded the nomination.

**Roll call:** Dr. Marano, Absent; Mr. Hartford, Aye; Dr. Shelley, Aye; Mr. Nachtigal, Aye; Mr. Brown, Aye.

**Selection of Board of Health Vice President**

Mr. Brown nominated Mr. Nachtigal as Board of Health Vice President for 2005. Dr. Shelley seconded the nomination.

**Roll call:** Dr. Marano, Absent; Mr. Hartford, Aye; Dr. Shelley, Aye; Mr. Nachtigal, Aye; Mr. Brown, Aye.

**RESOLUTION BH-2005-1**

**RESOLUTION OF THE BOARD OF HEALTH OF THE TOWNSHIP OF CHATHAM,  
IN THE COUNTY OF MORRIS, NEW JERSEY, APPOINTING ATTORNEY  
FOR THE BOARD FOR THE YEAR 2005.**

**WHEREAS**, after consideration, the Board of Health of the Township of Chatham has determined to engage the services of Marisa A. Taormina, Esq. as attorney for the Board for the calendar year 2005.

**NOW, THEREFORE, BE IT RESOLVED**, by the Board of Health of the Township of Chatham, in the County of Morris, New Jersey, as follows:

1. Marisa A. Taormina, Esq. is hereby appointed as the attorney for the Board of Health for the calendar year 2005. The compensation for the services performed shall be within the amount provided in the 2005 Budget for the Board of Health legal services.
2. This contract is awarded without competitive bidding as a professional service under the provisions of the Local Public Contracts Law, N.J.S.A. 40A:11-5(a) (a) (i), and notice of the award shall be published as required by law.

Mr. Brown moved to adopt Resolution BH-2005-1. Mr. Nachtigal seconded the motion.

**Roll call:** Dr. Marano, Absent; Mr. Hartford, Aye; Dr. Shelley, Aye; Mr. Nachtigal, Aye; Mr. Brown, Aye.

**RESOLUTION BH-2005-2**

**RESOLUTION OF THE BOARD OF HEALTH OF THE TOWNSHIP OF CHATHAM  
IN THE COUNTY OF MORRIS, NEW JERSEY, ESTABLISHING REGULAR  
MEETING SCHEDULE FOR THE BOARD OF HEALTH DURING 2005**

**WHEREAS**, the "Open Public Meetings Act", N.J.S.A. 10:4-6 et seq. requires that public bodies provide adequate notice of meetings;

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Health of the Township of Chatham in the County of Morris, New Jersey, as follows:

- 1) During the calendar year 2005 meetings will be held by the Board of Health to discuss or act upon public business at 7:30 p.m., prevailing time, at the Municipal Building on the following dates: February 8, March 8, April 12, May 10, June 14, July 12, August 9, September 13, October 11, November 1, December 13, and January 10, 2006.
- 2) Certified copies of this Resolution shall be (a) mailed to The Chatham Courier, (b) mailed to the Morris County Daily Record, (c) filed with the Municipal Clerk of the Township of Chatham, (d) posted on the bulletin board in the main hallway of the Municipal Building, and (e) mailed to any person requesting notices of the meetings of the Board of Health, pursuant to N.J.S.A. 10:4-19 who has paid the required fee theretofore. The foregoing shall be accomplished within (7) days of the adoption of this Resolution.

Mr. Brown moved to adopt Resolution BH-2005-2. Dr. Shelley seconded the motion.

**Roll call:** Dr. Marano, Absent; Mr. Hartford, Aye; Dr. Shelley, Aye; Mr. Nachtigal, Aye; Mr. Brown, Aye.

**RESOLUTION BH-2005-3**

**RESOLUTION OF THE BOARD OF HEALTH OF THE TOWNSHIP OF CHATHAM  
AUTHORIZING APPLICATION FOR STATE AID FOR HEALTH SERVICES**

**WHEREAS**, N.J.S.A. 26:2F-1 et seq., provides that State Aid for health services shall be provided annually and shall be made available for distribution by the State Department of Health to local health agencies in amounts and in accordance with the criteria and the formula for distribution provided and set forth in said statute; and

**WHEREAS**, the Township of Chatham Board of Health is desirous of receiving an equal share of the funds allocated for health services for the period of January 1 through December 31, 2005, for certified health services as prescribed by statutory law;

**NOW, THEREFORE BE IT RESOLVED** by the Board of Health of the Township of Chatham as follows:

1. That said Board does hereby request the State Department of Health to make available to the Board of Health of the Township of Chatham the maximum amount to which said Department is entitled to receive as its equal share of money to be allocated as aid toward rendering health services during the period January 1 through December 31, 2005, as authorized by N.J.S.A. 26:2F-1 et seq., and
2. That John Theese, the Health Officer of the Borough of Madison, is hereby instructed and authorized to complete and execute the necessary application forms for such State Aid and to forward same, together with a certified copy of this resolution, to the State Department of Health.

Mr. Brown moved to adopt Resolution BH-2005-3. Dr. Shelley seconded the motion.

**Roll call:** Dr. Marano, Absent; Mr. Hartford, Aye; Dr. Shelley, Aye; Mr. Nachtigal, Aye; Mr. Brown, Aye.

**RESOLUTION BH-2005-4**

**RESOLUTION OF THE BOARD OF HEALTH OF THE TOWNSHIP OF CHATHAM  
IN THE COUNTY OF MORRIS, NEW JERSEY, DESIGNATING NEWSPAPERS  
AND FIXING CHARGES FOR NOTICES OF PUBLIC MEETINGS OF SAID  
BOARD OF HEALTH DURING 2005**

**WHEREAS**, the "Open Public Meetings Act", N.J.S.A. 10:4-6 et seq., be given of meetings of public bodies as therein defined and in the manner therein set forth;

**NOW, THEREFORE BE IT RESOLVED** by the Board of Health of the Township of Chatham in the County of Morris, New Jersey, as follows:

1. THE CHATHAM COURIER and THE MORRIS COUNTY DAILY RECORD are hereby designated for the calendar year 2005 as the two newspapers to receive notices of meetings of the Board of Health as required by any and all sections of the Open Public Meetings Act, it appearing that these newspapers are the most likely to inform the local public of such meetings.
2. The public place for posting of notices of meetings of the Board of Health for the calendar year of 2005 shall be on the bulletin board in the main hallway of the Municipal Building.
3. The sum of \$10.00 is hereby fixed as the fee to be paid by any person requesting that notices of the meetings of the Board of Health during the calendar year 2005 be mailed to such persons as specified in R.S.40:4-19, provided, however, that no charge shall be made to any newspaper requesting the mailing of notices to its business office.
4. Certified copies of this Resolution shall be mailed by the Secretary of the Board of Health to THE CHATHAM COURIER and the MORRIS COUNTY DAILY RECORD, and a certified copy shall be filed with the Clerk of the Township of Chatham.

Mr. Brown moved to adopt Resolution BH-2005-4. Dr. Shelley seconded the motion.

**Roll call:** Dr. Marano, Absent; Mr. Hartford, Aye; Dr. Shelley, Aye; Mr. Nachtigal, Aye; Mr. Brown, Aye.

**RESOLUTION BH-2005-5**

**RESOLUTION OF THE BOARD OF HEALTH OF THE TOWNSHIP OF  
CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY,  
APPOINTING JOY M. WILEY BOARD SECRETARY**

**WHEREAS**, the Board of Health of the Township of Chatham, County of Morris, State of New Jersey, desires to appoint Joy M. Wiley as Board Secretary for the period commencing January 1, 2005 and ending December 31, 2005.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Health of the Township of Chatham as follows:

1. Joy M. Wiley is hereby appointed as Board Secretary for a term commencing January 1, 2005 and terminating December 31, 2005.
2. The compensation to be paid to Joy M. Wiley for services rendered to the Board shall be an annual salary in accordance with the Salary Resolution of the Township of Chatham.

Dr. Shelley moved to adopt Resolution BH-2005-5. Mr. Brown seconded the motion.

**Roll call:** Dr. Marano, Absent; Mr. Hartford, Aye; Dr. Shelley, Aye; Mr. Nachtigal, Aye; Mr. Brown, Aye.

**RESOLUTION BH-2005-6**

**RESOLUTION OF THE BOARD OF HEALTH OF THE TOWNSHIP OF CHATHAM  
IN THE COUNTY OF MORRIS, NEW JERSEY, REQUESTING EXECUTION  
OF AN AGREEMENT BETWEEN THE TOWNSHIP OF CHATHAM AND**

**THE BOROUGH OF MADISON FOR HEALTH SERVICES FOR 2005.**

WHEREAS, the Board of Health of the Township of Chatham is desirous of continuing a contract with the Board of Health of the Borough of Madison for furnishing health services of a technical and professional nature;

WHEREAS, the Program Proposal for Health Services January 1 - December 31, 2005 meets the Board's approval,

NOW, THEREFORE, BE IT RESOLVED by the Board of Health of the Township of Chatham that said Board hereby requests that the Township Committee of the Township of Chatham enter into an agreement with the Board of Health of Madison for the rendition of services to this Board and to the inhabitants of the Township of Chatham during the year 2005.

Mr. Brown advised the Board had already reviewed the Madison Board of Health last fall and approved the two year contract with them. Mr. Brown moved to adopt Resolution BH-2005-6. Dr. Shelley seconded the motion.

**Roll call:** Dr. Marano, Absent; Mr. Hartford, Aye; Dr. Shelley, Aye; Mr. Nachtigal, Aye; Mr. Brown, Aye.

**RESOLUTION BH-2005-7**

**RESOLUTION OF THE BOARD OF HEALTH OF THE TOWNSHIP OF CHATHAM, IN THE COUNTY OF MORRIS, NEW JERSEY, AUTHORIZING A CONTRACT WITH METCALF & EDDY, INC. FOR PROFESSIONAL CONSULTING ENGINEERING SERVICES**

WHEREAS, the Board of Health of the Township of Chatham requires professional consulting engineering services in connection with the review of applications submitted to the Board for permits and other approvals;

WHEREAS, the firm of Metcalf & Eddy, Inc. has been rendering professional consulting engineering services to the Board for such purposes;

WHEREAS, a proposed contract for professional consulting engineering services for the calendar year 2005 has been submitted to the Board by Metcalf & Eddy, Inc. in the form marked "Appendix A" and attached to the Resolution, and such proposed contract is acceptable to the Board;

WHEREAS, funds will be available for payment for the services rendered by Metcalf & Eddy, Inc. to the Board, such funds being available through technical review fees charges to applicants and/or through funds appropriated for Board operations in the 2005 Township of Chatham budget; and

WHEREAS, the Local Public Contracts Law requires that public notice be given of the award of any contract for professional services without competitive bidding.

NOW, THEREFORE, BE IT RESOLVED by the Board of Health of the Township of Chatham, in the County of Morris, New Jersey, as follows:

1. A contract for professional consulting services during the calendar year 2005 is hereby awarded to Metcalf & Eddy, Inc. such contract to be as set forth in "Appendix A" attached to this Resolution.

2. The President of the Board of Health is hereby authorized and directed to execute on behalf of the Board the contract awarded by Paragraph 1 of this Resolution, and the Secretary of the Board is hereby authorized and directed to attest such contract.

3. The award of contract pursuant to this Resolution is made without competitive bidding in accordance with the professional service provisions of the Local Public Contracts Law, N.J.S.A. 40A:11-5(1)(a)(i).

4. Notice of this contract award shall be published by the Secretary of the Board as required by law.

5. A certified copy of this Resolution shall be forwarded by the Secretary of the Board to Metcalf & Eddy, Inc.

Mr. Brown explained that Metcalf and Eddy's contract reflected a 3 percent increase over last year. Mr. Brown moved to adopt Resolution BH-2005-7. Dr. Shelley seconded the motion.

**Roll call:** Dr. Marano, Absent; Mr. Hartford, Aye; Dr. Shelley, Aye; Mr. Nachtigal, Aye; Mr. Brown, Aye.

**Approval of Minutes**

Prior to approving the minutes of December 14, 2004, Mr. Brown noted a correction on page 2, under the discussion of flu shots. It should read “40” percent rather than “20” percent. A lengthy discussion followed regarding flu shots and whether all residents were aware that the restrictions on flu shots have been relaxed. Mr. Hartford expressed concern that some residents may not be aware that shots are still available and also thought the Board should determine the number of senior citizens in town who are eligible. Health Officer, John Theese, was present to explain how the shots were allocated. Mr. Theese said he would notify the Board if more vaccine became available and explained how this would be handled financially. Mr. Brown advised Mr. Hartford that notices about flu vaccine were mailed to every household this year and that notices were placed in the local newspapers about additional flu vaccine. Attorney Taormina thought the Board had met their obligation through the mass mailing. Mr. Nachtigal confirmed with Mr. Theese that money for flu shots was not an issue in the 2004 budget. Mr. Hartford thought the Board should talk with the Senior Center about whether all people were reached. Mr. Theese was asked to check the 2000 census demographics to determine the number of senior citizens in Chatham Township. Mr. Theese reassured the Board that he would notify them if more vaccine became available. Mr. Barton, who attended the meeting, suggested the Board could also check with another senior group called Chatham AARP. Mr. Brown added that the Board’s records have indicated that very few citizens in Chatham Township utilize the services of the Madison Health Department. Dr. Shelley moved to approve the minutes as amended. Mr. Brown seconded the motion and it carried unanimously.

**Reports**

Registered Environmental Health Specialist- R.E.H.S. Irena Bairova reported that all inspections done during the month of December were satisfactory. Mrs. Bairova advised she had done a walk through at Tolima Restaurant and at Fairmount County Store and everything was all right. The grease trap at Nine Thai Cuisine was also checked. Mrs. Bairova also reported that Administrator Ciccarone was going to follow up on the drain situation on Stafford Road.

Registrar Report- Mrs. Wiley reported the following licenses were issued in December:

14 Certified copies of Marriage Licenses	\$56
3 Marriage Licenses	84
3 Certified copies of Death Certificates	12
1 Domestic Partnership	28
2 Certified copies of Domestic Partnerships	<u>8</u>
Total	\$188

**Secretary-**

Mrs. Wiley reported that a few more people had complied with the septic pumping requirement after Mr. Brown had talked with them. Mrs. Wiley will continue to follow up on these. Mrs. Wiley also advised she had received and distributed to the Board the updated list of septic system reviews done by Mrs. Feuer at Metcalf & Eddy, Inc.

Mrs. Wiley informed the Board that only a few retail food establishments still need to pay for the renewal of their license and that second requests will be mailed out in January.

Mr. Brown moved to accept the reports. Dr. Shelley seconded the motion and it carried unanimously.

**Discussion**

1. Well Ordinance- The Board reviewed page by page the second draft of the well ordinance making a few deletions or corrections. Mr. Brown noted a few minor changes to the revised draft. The Board discussed whether the term “pump installer” was still appropriate and decided to omit it. Mr. Barton also offered some suggestions. Attorney Taormina advised she would also add the appropriate forms and permits. Attorney Taormina will make the changes discussed and provide a revised draft for the Board before the next meeting.
2. Noise Ordinance- The Board briefly compared a few sections of the Township’s Noise Ordinance to the State Model Ordinance and noted some differences. Attorney Taormina thought the Township’s Noise Ordinance was more restrictive than the State Model Ordinance. The Board determined that Mr. Brown should mail a copy of the Noise Ordinance to the homeowners who had written the letter in November and indicate to them that they could contact Madison Board of Health if they thought the noise level was excessive. Mr. Barton added that Radio Shack has an inexpensive unit that measures sound.

Mr. Brown moved to adjourn at 10:10 p.m. Dr. Shelley seconded the motion and it carried unanimously.

---

Joy M. Wiley  
Board of Health Secretary