

**MINUTES
BOARD OF HEALTH
TOWNSHIP OF CHATHAM
DECEMBER 14, 2004**

President James Brown called the regular meeting of the Board of Health of the Township of Chatham to order at 7:30 p.m.

Answering present to the roll call were Dr. Marano, Mr. O'Connor, Dr. Shelley, Mr. Nachtigal and Mr. Brown.

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.

Approval of Minutes

Prior to approving the minutes of October 12, 2004, Mr. Brown noted one correction that the word "humidifier" under reports should read "dehumidifier". Mr. Brown moved to approve the minutes as amended. Mr. O'Connor seconded the motion and it carried unanimously.

Reports

Registrar

Mrs. Wiley reported the following licenses were issued during the months of October:

7 Certified copies of Marriage Licenses	\$28
1 Marriage License	28
22 Certified copies of Death Certificates	<u>88</u>
Total	\$144

During the month of November, the Registrar's office issued the following licenses:

8 Certified copies of Marriage Licenses	\$32
2 Marriage Licenses	56
20 Certified copies of Death Certificates	80
1 Certified copy of Birth Certificate	<u>4</u>
Total	\$172

Secretary Report

Mrs. Wiley reported two letters were received: the Board of Health was copied on a letter from the Environmental Commission about issues that the Township Committee plans to consider on a future agenda, and a letter from a resident about restricting landscaping noise.

Mrs. Wiley also informed the Board that the Rabies Clinic was held on Saturday November 6, 2004 from 9-10 a.m. Four cats and fifteen dogs received inoculations.

In addition, about fifteen people still have not complied with the septic pumping requirement. The list of residents who had not complied was forwarded to Mr. Brown for follow up.

Mrs. Wiley also advised that during the first week of December, letters were sent out regarding renewal of Retail Food Establishment Licenses and that some retail food establishments have already responded.

Since Irena Bairova was not present, the Registered Environmental Health Specialist Report was held to later in the meeting.

Discussion

1. Flu Shots- Mr. Brown advised the Board that the Health Officer, John Theese, had informed him a couple weeks ago that another 40 percent addition to our flu shot allocation was available. Mr. Brown said he only asked for another 100 shots and thought in retrospect the mailing about flu shots should have included another category for people over 65 and healthy. The notice about additional flu vaccine for healthy senior citizens over 65 was advertised in the Daily Record and the Chatham Courier. Mr. Brown said he also notified Mrs. Wiley, the Senior Center and churches in the area about the availability of flu shots. The Health Officer, John Theese, arrived at the meeting and informed the Board that 246 people had received flu shots in Chatham Township, but eighteen people who registered for flu shots did not show up. Mr. Theese said residents could still call the Madison Health Department about the additional flu vaccine.
2. Well Ordinance- Mr. Brown began the discussion about the draft of the well ordinance by questioning whether the pipes would freeze if the well ordinance requires the well casing must be 18 inches above the ground in order to avoid contamination. Mr. Theese clarified this for Mr. Brown.

Mr. Brown then opened the meeting to the public.

Chuck Barton, General Manager of the Noe Pond Club and resident of the town, advised the Noe Pond Club has a well and distributed a letter to the Board about his concerns with the draft of the well ordinance. Mr. Barton also mentioned he was just notified that the law requiring the extension of wellheads was repealed. Mr. Barton demonstrated on an aerial map the location of the well at the Noe Pond Club and explained the five concerns noted in his letter dated December 14, 2004. The Board then discussed each one of the issues. With regard to the first issue, the Board agreed to delete the permit requirement for pump replacement on page 3. With regard to testing, the Board thought the first paragraph under Testing on page 5 could be removed. Attorney Taormina thought the section on Testing could be moved to another section of the ordinance, possibly under Chapter 7. The Board also noted that with regard to Section 6.1.3(i), the authority for requiring the extension of buried wells has been repealed by NJDEP. Attorney Taormina informed the Board that Section 6.1.4(a) lists the requirements for decommissioning as stated under the State Administrative Code. Mr. Theese advised the Board could not make it less restrictive than the State Code. The Board decided not to qualify the language as suggested in Mr. Barton's letter and to leave the wording in that section as it was drafted. With regard to groundwater sampling and the importance of chlorination discussed earlier in the meeting, the Board thought Section 7.1 should remain as it was drafted and that sampling should be done after any repair.

Mr. Brown then provided some of his comments about the draft of the Well Ordinance. Mr. Brown thought transfer of title should be a new section. On page 6, the reference to sanitary inspector should be changed to Registered Environmental Health Specialist. The Board also discussed the use of the word "article" or "ordinance" throughout the draft ordinance. With regard to the list of parameters in Section 7.7, Mr. Theese recommended it would best to reference the State Code. Mr. Brown also made a suggestion clarifying the word "analyses" used in Section 7.8. The Board also discussed the fees, some typo's and some other minor wording changes. Mr. Barton also noted the wording in Sections 8.6 and 8.7 may need some revision with regard to repairs. The Board discussed Section 6.1.4(c) and agreed to change the words "appropriate permit" to "well abandonment report". Mrs. Wiley questioned Section 8.5, and the Board agreed to delete this. Mrs. Wiley was also concerned about implementation of the ordinance and requested clarification about what needs to go before the Board and what can be directed to the Madison Board of Health. Mr. Brown suggested postponing the rest of this discussion to January.

Mr. Brown closed the meeting to the public.

Registered Environmental Health Specialist Report-

October- Registered Environmental Health Specialist Irena Bairova reported all the Retail Food Establishments inspected in October were satisfactory. With regard to a sanitary complaint, Mr. Theese provided the background about an area on Stafford Road and the unknown substance that

is coming from a pipe leading into the street. This issue is still pending and the Township Administrator is involved in the process. Some dye tests may be run to determine the source.

November- Mrs. Bairova reported all the facility inspections were also satisfactory and said she was impressed by the kitchens at both Juniper Village Assisted Living and King James Nursing Home. One complaint was received about Nine Thai Cuisine, however no signs on noncompliance were found. One dog bite was reported on Woodland Drive and the dog's rabies vaccinations were up to date. Mrs. Bairova also advised the well on 11 Mountainside Drive was abandoned. Mrs. Bairova witnessed a soil test at 330 Green Village Road. Following a complaint about a sewer line back-up on Southern Boulevard, the grease traps at Charlie Brown's and Nine Thai Cuisine were checked and there were no signs of negligence.

Mr. Brown moved to accept all the reports. Mr. Nachtigal seconded the motion and it carried unanimously.

Septic System Licensing Report- Mr. Brown distributed a report he had done about the homeowners who had not complied with the pumping requirement. Mr. Brown advised that some of the homeowners had moved and asked Mrs. Wiley to check the addresses with the tax office. The suggestion was made that the final notification be sent by certified mail. Mr. Brown asked at what time should a summons be issued. The Board reviewed the language in the ordinance and discussed how they should proceed. A copy of the ordinance could be sent to the homeowners with a time limit to reply. Mr. Brown read the violation section of the ordinance. The Board determined the letter could reference the homeowners are in violation of section 9 of the ordinance and if they do not respond by a certain date, the Board will take appropriate legal action and a summons will be issued. The Board also suggested discussing this situation with the Township prosecutor first. Following the Board's discussion, Mrs. Wiley was asked to prepare a draft of the letter that will be reviewed by Mr. Brown before it is sent out.

Local Public Health Governance Performance Assessment Instrument- Mr. Brown advised he had attended a meeting on November 13, 2004. Mr. Brown distributed a booklet to show what answers he provided on a form put together by the Federal Government. Mr. Brown said the instructor of the seminar had discussed the issue of relevance. Mr. Brown said he was informed that it was designed to apply to all states and the instructor acknowledged that it not designed for New Jersey. Mr. Brown explained the trainers at the seminar would ask questions about how the Board interacts with Madison Board of Health and then advised how the question should be answered. The Board then reviewed some of the responses that Mr. Brown had provided.

Mr. Brown moved to adjourn at 9:48 p.m. Mr. Nachtigal seconded the motion and it carried unanimously.

Joy M. Wiley
Board of Health Secretary