

**MINUTES
BOARD OF HEALTH
TOWNSHIP OF CHATHAM
JUNE 8, 2004**

The regular meeting of the Board of Health was called to order by President James Brown at 7:30 p.m.

Answering present to the roll call were Mr. O'Connor, 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.

Approval of Minutes

Mr. Brown moved to approve the minutes of April 13, 2004. Dr. Shelley seconded the motion and it carried unanimously.

Reports

Registered Environmental Health Specialist- The reports from April and May will be deferred to the next meeting.

Registrar of Vital Statistics

Mrs. Wiley reported the following licenses were issued.

April- 2004

7 Certified copies of Marriage Licenses	\$ 28
4 Marriage Licenses	112
9 Certified copies of Death Certificates	<u>36</u>
Total	\$176

May- 2004

24 Certified copies of Marriage Licenses	\$ 96
7 Marriage Licenses	196
2 Certified copies of Death Certificates	8
1 Certified copy of Birth Certificate	<u>4</u>
Total	\$304

Secretary

Mrs. Wiley reported that a number of residents with septic systems have been sending in the proofs that their septic systems have been pumped along with the \$15 fee in order to receive the renewal of their septic license.

With regard to correspondence received concerning the pumping requirements, Mr. Brown thought it fell into two categories.

The Board first discussed the residents who are expected to go onto to the sewer system in one year. Following discussion as to when the proposed sewer system would go in, Attorney Taormina suggested the pumping requirement could be deferred for two years for these residents. The Board discussed deferring the pumping requirement for these residents until 2006 and if the sewers were not present at that time, they would need to clean out the system in 2006. These residents would need to assume the responsibility of maintenance. Mr. Brown made a motion to defer the pumping requirement until August 2006 for the residents that are expected to go onto the sewer system. Dr. Shelley seconded the motion and it carried unanimously.

The Board then discussed the other issue of low usage and whether the system must be pumped every three years. Mr. Brown advised the 3-year pumping requirement came from a Rutgers document assuming a household of four people. Mr. Nachtigal also mentioned the brochure from Rutgers is not only based on the number of people using the system but also on tank size based on a modern septic system. Mr. O'Connor suggested a maximum deferral of 10 years so not to lose track. Mr. Nachtigal also said from talking with the water companies, there is a trend for higher usage of water in Morris County and the flows have increased significantly since the guidelines for the EPA were published. Mr. Brown said the pumping requirement dealt with the solids in the tank. However, Mr. Nachtigal said detergents in the laundry negatively affect the efficiency of the tank. The Board asked how allowing different time period extensions would affect the Board secretary. Mrs. Wiley explained that allowing different time period extensions would be more difficult to monitor, unless a septic management computer system program was purchased. The Board decided to grant deferrals to the residents who noted low usage for three-year periods and then the situation would be reevaluated at that point in time. The Board then discussed the letter from T.J. Fearon and whether the ordinance should be changed to include a home inspector for a certificate of continued use. No action was taken.

Final Adoption of Ordinances

ORDINANCE BH-1-04

AN ORDINANCE FURTHER AMENDING THE REGULATIONS OF THE BOARD OF HEALTH OF THE TOWNSHIP OF CHATHAM, IN THE COUNTY OF MORRIS, NEW JERSEY, RESPECTING RETAIL FOOD ESTABLISHMENTS WITHIN THE TOWNSHIP AND THE FEES PERTAINING THERETO

BE IT ORDAINED by the Board of Health of the Township of Chatham, in the County of Morris, State of New Jersey, as follows:

1. Section 4, Fees for Licenses, of Ordinance BH-1-97 adopted May 13, 1997 by the Board of Health of the Township of Chatham, in the County of Morris, State of New Jersey for the purpose of establishing certain regulations with respects to retail food establishments within the Township, as amended by Ordinance BH-5-01 adopted on November 13, 2001, and Ordinance BH-1-02 adopted on October 8, 2002, is hereby further amended so that said section shall read in its entirety, as follows:

Section 4. FEES FOR LICENSES.

The fees for regular retail food establishment licenses shall be as follows:

Store/Food Establishment	
Up to and including 10,000 square feet	\$ 100.00 per annum
More than 10,000 square feet	\$ 200.00 per annum
Deli/Restaurant	
1 to 25 seats	\$ 50.00 per annum
26 to 50 seats	\$ 100.00 per annum
More than 50 seats	\$ 150.00 per annum
Long Term or Assisted Care Facility having a maximum available capacity of	
1 to 25 residents	\$ 75.00 per annum
26 to 50 residents	\$ 150.00 per annum
51 to 100 residents	\$ 225.00 per annum
More that 100 residents	\$ 300.00 per annum
Vendors purveying individual servings of ice cream or other frozen confections, hot or cold drinks, candies, popcorn, fruit or other edible products	\$ 50.00 per annum
Vendors delivering dairy products to dwellings or dwelling Units	\$ 10.00 per annum per vehicle

Farm Stands	\$ 25.00 per annum
Swim Club Snack Bars	\$ 50.00 per annum
Packaged Goods only	\$ 50.00 per annum
A temporary license for up to 3 days for a special event or celebration at which food will be served to the public by other than a school, church or non-profit organization	\$ 25.00 per event

There shall be no fee for a school, church or non-profit organization having permanent or temporary kitchen facilities, provided that a license shall be obtained for any permanent kitchen facilities and further provided that the Township Board of Health may at any time inspect the operation of any temporary kitchen facilities.

The annual fee for a regular license shall not be prorated by reason of the date upon which the license may be issued.

All required license fees shall be paid to the Township Board of Health prior to the issuance of the license.

The fee for a retail food establishment license shall cover an initial inspection and one reinspection if the establishment is not given a “satisfactory” rating on the basis of the initial inspection. There shall be a charge of \$ 50.00 each for a third and any further inspections required prior to the issuance of a license.

No license issued pursuant to this ordinance shall be transferable in any manner.

2. This Ordinance shall take effect thirty (30) days after the publication of notice of final adoption as provided by law.

Mr. Brown opened the hearing to the public on Ordinance BH-1-04. Hearing no one, Mr. Brown closed the public hearing and asked the Board for their comments. The Board noted the two changes, the inclusion of packaged goods only for \$50 and amending the temporary food license fee from \$10 to \$25.

Dr. Shelley moved to adopt Ordinance BH-1-04. Mr. O’Connor seconded the motion.

Roll call: Dr. Marano, Absent; Mr. O’Connor, Aye; Dr. Shelley, Aye; Mr. Nachtigal, Aye; Mr. Brown, Aye.

Discussion:

1. Well Ordinance- Attorney Taormina explained there is a subchapter in the Safe Drinking Water Act of the State regulations that address standards for non-public water systems. This section does discuss flow issues, decommissioning and installation of wells. Attorney Taormina advised that the Harding Well Ordinance does cover some things that are not addressed in the State regulations. With regard to the impurities, Attorney Taormina advised she had looked at the EPA regulations. With the exception of two, cadmium and lead, the Township still has a stricter level of contaminants. Attorney Taormina also noted that Washington Township incorporated the Private Well Testing Act in their well ordinance. Mr. Nachtigal will contact Gary Annibal in Harding Township to find out what is required for the initial testing for drilling a well. Following discussion, the Board thought it was best to reference the State requirements with regard to flow, installation and abandonment of a well. The Private Well Testing Act should be referenced and Harding Township should be contacted concerning the impurities. Attorney Taormina will look further into the state regulations regarding abandonment of

wells. Mr. Brown also noted that Health Officer John These would also need to review the revised well ordinance before it is introduced.

Mr. Brown moved to adjourn at 8:40 p.m. Dr. Shelley seconded the motion and it carried unanimously.

Joy M. Wiley
Board of Health Secretary