

**MINUTES  
BOARD OF HEALTH  
MAY 13, 2003**

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

Answering present to the roll call were Dr. Marano, Mrs. Hoag, 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 15, 2003; notice was posted on the bulletin board in the main hallway of the Municipal Building on January 15; and notice was filed with the Township Clerk on January 15, 2003.

**Approval of Minutes**

Mrs. Hoag moved to approve the minutes of April 8, 2003. Dr. Shelley seconded the motion and it carried unanimously.

**Reports**

Health Officer John Theese was not present. Therefore, the Health Officer's report was deferred until the next meeting.

Registrar of Vital Statistics- Mrs. Wiley reported that during the month of April the Township issued the following licenses:

3 Certified copies of death certificates	\$12
3 Certified copies of marriage licenses	12
1 Marriage License	<u>28</u>
Total	\$52

Secretary- Mrs. Wiley advised a letter had been received from Al Baragona thanking the Board of Health members for their time and assistance. Mrs. Wiley also reported that James Hocko had submitted the paperwork for a Certificate of Continued Use with regard to the inspection of his septic system, however the dye test was not done. Mr. Hocko was present and advised he had been the occupant of the home the last 20 years and that he was now purchasing the house. Mr. Hocko advised the Board that he has the system pumped every three years and that he had not experienced any problem with the septic system during the last 20 years.

Based on the information provided by Mr. Hocko, Mr. Brown moved to waive the dye test and approve the issuance of the Certificate of Continued Use for 449 River Road. Mrs. Hoag seconded the motion.

**Roll call:** Dr. Marano, Aye; Mrs. Hoag, Aye; Dr. Shelley, Aye; Mr. Nachtigal, Aye; Mr. Brown, Aye.

Mr. Brown moved to approve the reports. Mrs. Hoag seconded the motion and it carried unanimously.

**New Business**

Septic Application, Block 62, Lot 85, 400 River Road

Mark Patalive from Schommer Engineering Inc. was present. Also present were the homeowners. Carrie Feuer, P.E. from Metcalf and Eddy (M&E) reviewed M&E's letter dated May 13, 2003. Mrs. Feuer advised that Mr. Patalive had already submitted revised drawings for a conceptual subdivision/new subsurface sewage disposal system at the above referenced property and reviewed those changes with the Board. Mr. Patalive said he would provide revised drawings to the Board of Health. Mr. Patalive explained that the applicants are proposing a one-acre lot for the existing house and that if the system failed on that property, the old system could

be excavated out and rebuilt, and also the slab in the back could be removed for the disposal bed. Mrs. Feuer advised wetlands information is required and that hydric soil conditions are present on the property near River Road. Mr. Patalive pointed out general note #5 that the engineer has certified that there are no wetlands within 150 feet of the proposed septic system. Mrs. Feuer also recommended testing the existing septic system to make sure it is working adequately. The Board asked several questions about regional ground water data. Mr. Patalive advised that the soil testing was done in two different areas and that they excavated to a depth of 12 feet. No mottling was observed, nor any ground water was encountered within the 12 foot depth. Mrs. Feuer also explained that the slope of the existing grade in the area of the proposed septic system was over 15 percent, so it did not meet Chatham's code. Mr. Patalive informed the Board that the alternative is to cut the slope and regrade, so the area of the bed would be at a 15 percent slope. The Board questioned if it would be aesthetically pleasing. Mr. Patalive thought landscaping would take care of that. Mrs. Feuer also added that the soils were not a problem in this area. Mr. Patalive advised the applicants were looking for the Boards approval for the conceptual subdivision with regard to the location and soil testing only, and not the design, for the proposed septic system. The Board expressed concern whether there was any evidence that the septic system serving the present house was failing. The homeowners said that they were not aware of any problems. Mr. Brown was concerned if there was a failed system, would there be enough land left for a new disposal bed. Mr. Patalive reassured that there was. The Board was also concerned about the exact location of the disposal bed for the existing septic system and that the property line did not bisect the disposal field. Following discussion the Board requested that the civil engineer working on the subdivision submit a letter with his seal stating that in his professional opinion the disposal bed for the existing septic system is not less than 10 feet from the property line. The Board also requested that a note be added that the existing property is more than 150 feet from the sewer line. Upon receipt of the engineer's letter, Attorney Perlowski will prepare a resolution for the Planning Board.

Mr. Brown moved to conditionally approve the application with regard to the soil testing and location for a new subsurface sewage disposal system for a conceptual subdivision contingent upon the receipt of a sealed letter from the civil engineer stating that the disposal bed for the existing septic system is not less than 10 feet from the property line. Dr. Shelley seconded the motion.

**Roll call:** Dr. Marano, Aye; Mrs. Hoag, Aye; Dr. Shelley, Aye; Mr. Nachtigal, Aye; Mr. Brown, Aye.

Mrs. Feuer then updated the Board on the two outstanding septic systems. The Murray property received the GP #25 Permit. An approval letter will be sent to the Board. The Ferreira property will need to obtain wetlands information first. Mrs. Feuer explained the discussion she had with Mrs. Ferreira.

Mrs. Feuer distributed copies of the current invoice from M&E and explained the changes from the prior invoices. The new invoice includes a table showing more detailed tasks and time in ¼ hour intervals. Mrs. Feuer explained M&E's billing and policy procedures. The Board discussed M&E's invoice with Mrs. Feuer. Attorney Perlowski suggested using a legend with a code and number system to indicate the services provided. Mrs. Feuer thought the system she prepared might be easier to read. Mrs. Feuer also advised that the homeowners involved are also receiving a copy of the invoice, table and time sheet. Following the discussion, the Board asked that expense charges be paid by the Board of Health and that invoicing charges be shown as financial correspondence on future bills. The Board also determined that the Board of Health would pay for charges for financial correspondence in the future, rather than the homeowner.

Escrow Accounts- The Board talked about the Township's procedure regarding the release of escrow funds. Mrs. Hoag advised that the homeowners receive quarterly statements from the bank about the escrow accounts. The Board inquired about interest on the escrow accounts. Mrs. Wiley advised the Escrow Officer would be able to answer that question. Mrs. Wiley advised she had reviewed the list of all the Board of Health escrow accounts. Mrs. Wiley distributed the list and updated the Board on the status of six accounts that have a balance and a certificate of compliance has been issued. Mrs. Wiley also distributed a list of the status of all septic applications since she became Secretary for the Board. Mrs. Wiley explained to the Board why some accounts were still pending. Mrs. Wiley also advised the procedure the Township has

followed is that the escrow balance is not released until the Certificate of Compliance has been issued. The Board agreed to continue with the same procedure.

Dr. Marano left the meeting at 9:35 p.m.

**Old Business**

1. Well Ordinance- Mr. Brown asked that the well ordinance be deferred to another meeting. Attorney Perlowski updated the Board about his meeting on April 9, 2003 concerning the new Public Well Testing Act and the new standards.

**Discussion**

1. New minimum public health practice standards- Mr. Brown advised that he had read through most of the information distributed, except that he had not finished reading the thick package of information from the state regarding the new minimum public health practice standards. Mrs. Hoag said she had also read part of it and had several questions for the Health Officer, John These regarding the state's requirements and the impact to the Madison Board of Health and the staffing involved. The Board then discussed the proposed agreement between the Morris Regional Public Health Partnership and Chatham Township. The Board decided that they would follow Mr. These's recommendation to sign the agreement since Mr. These would be addressing these issues for the Board.

Mrs. Hoag made a motion that the Township of Chatham Board of Health enter into an agreement with the Morris Regional Public Health Partnership. Dr. Shelley seconded the motion.

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

Mr. Brown moved to adjourn at 9:55 p.m. Dr. Shelley seconded the motion and it carried unanimously.

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Joy M. Wiley  
Board of Health Secretary