

**MINUTES  
BOARD OF HEALTH  
TOWNSHIP OF CHATHAM  
APRIL 10, 2007**

President Jim Brown called the regular meeting of the Board of Health to order at 7:32 P.M.

Answering present to the roll call were Mr. Hartford, Mr. Nachtigal and Mr. Brown. Dr. Marano and Mr. Newby were absent. Attorney Taormina was also present.

**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 12, 2007; notice was posted on the bulletin board in the main hallway of the Municipal Building on January 12, 2007; and notice was filed with the Township Clerk on January 12, 2007.

**Approval of Minutes**

Mr. Brown moved to approve the minutes of March 13, 2007. Mr. Nachtigal seconded the motion and it carried unanimously.

**Reports**

**Registered Environmental Health Specialist-** Ben Samara reported that during the month of March he reinspected Salad Works and gave it a satisfactory rating. Lafayette School and Green Village Deli were also inspected and were found to be satisfactory. Mr. Samara advised he picked up a bat at a house on Lafayette Avenue and it tested negative for rabies. Mr. Samara said he had observed a pizometer reading for a water level test at 5 Loantaka Lane. Mr. Samara also stated the property maintenance issue for a house on Fairmount Avenue is still pending and that there is still an enormous amount of debris on the property. Mr. Samara reported a complaint about leakage in the sewer line at 742 River Road was received on March 13, 2007. Mr. Samara also advised he had talked with the Township Engineer John Ruschke concerning the maintenance of grease traps in restaurants near the Southern Boulevard area.

Mr. Samara informed the Board that the Township Prosecutor Peter Fico had recommended that the Board of Health increase the penalties provision of Ordinance BH-3-79 and change the fine to a daily penalty. Mr. Samara suggested a range from \$50 to \$500 could be established. The Board compared this to the penalty provision in the Cat Licensing Ordinance. Mr. Samara offered to provide a copy of Madison's code for the Board's review. Attorney Taormina also questioned whether the 1953 Public Health Nuisance Code referenced in Ordinance BH-3-79 has been updated. Mr. Brown thought the previous Board attorney had looked into this and found that the 1953 code was still a valid code. Mr. Nachtigal thought there may be additions to the Public Health Nuisance Code and that the Board should look at Madison' code as well. Following discussion the Board asked Attorney Taormina to verify that the 1953 code was still applicable. The Board decided this information and a copy of Madison's code could be discussed at the next Board of Health meeting.

Mr. Hartford questioned Mr. Samara about the Board of Health's role with the recent recall of certain foods, such as spinach and peanut butter, as well as pet food. Mr. Samara explained the food products are usually recalled voluntarily but the Registered Environmental Health Specialist could do spot checks to ensure the merchandise is pulled from the shelves. With regard to the Madison Health Department Health Education Monthly Reports that were distributed to the Board, Mr. Hartford requested that the Township website be updated with any current information about the health education programs.

**Registrar of Vital Statistics-** Mrs. Wiley reported the following licenses were issued in March:

2 Marriage Licenses	\$ 56
2 Civil Unions	56
12 Certified copies of Marriage Licenses	80
4 Certified copies of Death Certificates	<u>25</u>
Total	\$217

Secretary- Mrs. Wiley reported the letter pertaining to the Board of Health requirement that homeowners pump out the septic system every three years was mailed on March 26, 2007.

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

### **New Business**

#### **Septic System Alteration, Block 62, Lot 68, 504 River Road**

The owners Nils Klarlund and Lien Tran were present. The architect, Arthur Demarest, was not at the meeting. Mr. Brown explained that since the last meeting, the owners had consulted an engineer about whether the septic system was adequate for a 5-bedroom house and the engineer determined it was not. Therefore the homeowner's architect made changes to the drawings and submitted new plans dated April 1, 2007. These plans show there is no longer a study, and the closet for the master bedroom was moved to a sitting room hoping that this would satisfy the requirement that there is not an additional bedroom. Mr. Klarlund advised that he wished to receive approval from the Board of Health first, but the same plans in a more detailed version were submitted to the Building Official. Mr. Klarlund said he did not think any variances would be necessary. The plans indicate moving the location of the septic tank. Mr. Klarlund also said the Building Official's plan shows the relocation of the main waste line from the house. Mr. Brown said that Mrs. Feuer, P.E. of Metcalf and Eddy Inc. had reviewed the revised drawings submitted to the Board of Health and found them acceptable. Mr. Samara will oversee the repair and do an inspection at the time the tank is relocated. Following discussion the Board agreed the plans dated April 1, 2007 represented a four-bedroom house.

Mr. Brown made a motion that the Board has reviewed the architectural plans dated April 1, 2007 and found them consistent with a four-bedroom house contingent upon receipt of the letter from Metcalf & Eddy Inc. approving the relocation of the septic tank and the plans as they are shown. Mr. Nachtigal seconded the motion.

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

Mrs. Wiley confirmed the applicant would be applying for a \$60 septic system repair permit rather than an alteration and that a copy of the permit, the minutes of the meeting, Metcalf & Eddy's letter, and the plans dated April 1, 2007 would be forwarded to the Construction Official.

### **Discussion**

#### **Septic System Inspection Results, Block 95, Lot 25, 1 Woodland Road**

The perspective buyers of the house were present at the meeting. Registered Environmental Health Specialist Ben Samara advised he had done the final inspection of the septic system repair today and it was approved. Mr. Samara said that although it is an older system, there was no problem or back up when the system was jetted. Only two lines were working, and the third line was replaced today. Mr. Brown added that only one person had been living in the house and an older system has only a certain period of time that it will continue to work. Joe Oehme, the perspective buyer, questioned the difference between a repair and an alteration. Mr. Samara said replacing one component usually constitutes a repair. However if the homeowner wished to increase the number of bedrooms in the house, an alteration would be needed. Mr. Oehme asked whether another test should be done on the septic system. Mr. Samara said that would be up the homeowner. Mr. Hartford thought the buyer's may want another test done and encouraged the buyer to consult with a professional engineer if they have any future plans for expansion. The possibility of wetlands on the property would be another issue to consider. The Board said both Schommer Engineering Inc., who did inspection for the homeowners, and Mr. Samara agree the system is functioning now, but the Board could not give any guarantees for the future. A Certificate for Continued Use from the Board of Health would be needed for the closing.

Since there was no further business, Mr. Brown moved to adjourn at 8:50 P.M. Mr. Nachtigal seconded the motion and it carried unanimously.

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Joy Wiley  
Board of Health Secretary