

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

Vice President John Nachtigal called the regular meeting of the Board of Health to order at 7:30 P.M.

Answering present to the roll call were Dr. Marano, Mr. Hartford, Mr. Newby and Mr. Nachtigal. President Jim Brown was absent. Attorney Marisa 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. Nachtigal asked for a motion to approve the minutes of April 10, 2007. Attorney Taormina advised the approval of the minutes should be deferred until the next meeting since there was not a quorum.

Reports

Registered Environmental Health Specialist-

Ben Samara reported that during the month of April the five retail food inspections were satisfactory. Mr. Samara advised Gourmet Deli was closed and that he did a walk through of the new restaurant called Java Lou's. Mr. Samara said he had observed the septic jetting to clean out the lines and witnessed the septic repair at 1 Woodland Road.

In May, Mr. Samara inspected six retail food establishments and all received a satisfactory rating. Mr. Samara also checked the outside areas of Charlie Brown's, Shop Rite and Drug Fair. Mr. Samara informed the Board that Charlie Brown's did provide receipts showing the grease traps had been cleaned. Nine Thai was also asked to provide proof of cleaning of the grease traps. Mr. Samara advised he had done pre-operational inspections of all the pools in May and that he would be doing a second inspection during the latter part of July. At the Police department's request, Mr. Samara picked up a dead fox. As a precaution, it was tested for rabies and was found to be negative. Mr. Samara also witnessed the septic repair at 504 River Road. A dead bird found on Maple Road did not require testing for the West Nile Virus since the bird was a crackle. Mr. Samara advised only crows and blue jays are being tested for the West Nile Virus. The case discussed at previous meetings involving debris on a property on Fairmount Avenue was closed. Mr. Hartford added that the Township Committee is considering introducing a repair and maintenance ordinance.

During the month of June, Mr. Samara reported he inspected three retail food establishments and all were found to be satisfactory. One complaint was received about food handling at Hickory Deli. With regard to retail food inspections, Mr. Samara advised all inspections were done in accordance with the new regulations. Mr. Samara further explained that there are some exceptions when hand washing may be acceptable. Mr. Samara also advised he had done another inspection of the areas with the dumpsters at ShopRite and at Charlie Brown's.

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

April

1 Marriage License	\$ 28
10 Certified copies of Marriage Licenses	90
12 Certified copies of Death Certificates	<u>65</u>
Total	\$183

May		
3 Marriage Licenses		\$ 84
1 Civil Union		28
15 Certified copies of Marriage Licenses		125
2 Certified copies of Death Certificates		<u>15</u>
	Total	\$252
June		
6 Marriage Licenses		\$ 168
8 Certified copies of Marriage Licenses		65
13 Certified copies of Death Certificates		<u>80</u>
	Total	\$313

Secretary- Mrs. Wiley acknowledged receipt of the letter from Metcalf and Eddy dated April 10, 2007 approving the relocation of the septic tank and the septic plans for 504 River Road.

Mr. Hartford inquired about the Public Health Nursing Report and where the screenings are held.

Mr. Newby moved to accept the reports. Dr. Marano seconded the motion and it carried unanimously.

New Business

Before starting the review of the septic application on the agenda, Carrie Feuer P.E. from Metcalf and Eddy Inc. (M & E) stated there was a pending septic application that was being held in her office for fees to be received. Engineer Murphy said he would follow up with the homeowner.

Septic System Application, Block 48.18, Lot 140, The Farm at Green Village

The engineer Thomas Murphy from Murphy and Hollows Associates Inc. was present. The owner James Brill was not present.

Engineer Carrie Feuer reviewed M & E's letter dated July 10, 2007. Mrs. Feuer explained a new septic system was being installed to replace the old system not due to a failed system, but as an upgrade. The new system would help to accommodate the increase in the number of farm employees. Since this would be a new septic system, all the septic requirements must be met. The owner's engineer has proposed a mounded, soil replacement disposal field with pump to gravity dosing. Mrs. Feuer advised she also had some additional comments that are not noted in the letter dated July 10, 2007. Before starting the review the comments, Mr. Murphy was asked to find out where the septic system is located on Lot 142. Mr. Murphy also advised the green houses are being redone and that they had received approval from the Township. The first comment in M & E's letter was a suggestion that the Board of Health include in their approval statement a restriction of the employee facilities to that of the design. The second comment requested additional information be placed on the drawings about the location of the water lines, how the septic system will be abandoned, that an inspection port is needed above the inlet pipe of each septic tank and to provide proof of abandonment of the adjacent well. The third comment was a request to clarify several unlabeled lines within the drawing. The fourth comment asked for additional information about the well on Lot 142. Mr. Murphy said he would submit a copy of the well driller's report. Mr. Nachtigal noted the drawing referred to a maximum of 50 employees. Mrs. Feuer said M & E's letter should say 50, rather than 25 employees. Mr. Murphy explained the dual pump system, and if one pump fails, the other pump overrides it. Mrs. Feuer also advised that there is nothing in the code for flows for uses for farm employees and explained how the 25 gallons was reasonable. Mr. Murphy said it was a mounded system due to the water table and mottling. Mrs. Feuer said the mound is 4 to 6 feet above grade due to high water table. With regard to soils, Mrs. Feuer said clay aggravates the design, therefore the topsoils will be replaced with K4 material. Mrs. Feuer then explained her last two comments. Mrs. Feuer said the perched zone of saturation might need a perched pipe design around the bed. Mrs. Feuer will discuss the regulations with Mr. Murphy. The other comment related to the lengths of laterals in the beds. Code states that with gravity distribution there cannot be more than 600 feet. Mr. Murphy thought this could be corrected by designing two beds, side by side.

Mrs. Feuer said that after the revisions are submitted to the satisfaction of M & E, she would reiterate her additional comments in the approval letter. Mr. Murphy said he would submit revised plans to the Board for their records.

Mr. Nachtigal moved to approve the septic system application for Block 148.18, Lot 140, the Farm at Green Village, 403 Green Village Road, contingent upon the revisions being submitted as per the discussion tonight and meeting the approval of Metcalf & Eddy Inc. and that the approval of the septic design is based on a maximum of 50 farm employees, not including any shower or laundry facilities for employees except for the existing dwelling. Mr. Newby seconded the motion.

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

Unrelated to the previous discussion, Mr. Hartford advised the Board that the Environmental Protection Agency (EPA) is doing an investigation of the Superfund site in Green Village and asked whether the Board of Health wants to be involved. Mr. Hartford explained that the EPA had held an informational meeting and had mentioned that the site could be a possible health risk. Mr. Nachtigal thought the Board would be concerned if there were ground water issues, but that the EPA would be monitoring ground water and any existing wells. Mr. Hartford encouraged the Board members to look at the information on the Township website.

Discussion

Increasing penalties provision for Ordinance BH-3-79- Mr. Samara informed the Board that as a result of a recent case, the prosecutor had recommended increasing the fees in Ordinance BH-3-79 and suggested a range from \$50 to \$1000 for each violation in order to allow the Judge leeway. Attorney Taormina advised the Board the reference to the Public Health Nuisance Code of New Jersey (1953) is still in effect and that many municipalities rely on this code. Attorney Taormina also advised the previous Board of Health attorney had also confirmed this. Although Mr. Hartford said he was not against increasing the penalties, he thought the system had worked in this particular case. Mr. Hartford expressed concern about the direction the Township Committee may be taking on initiating a property maintenance ordinance. Following a brief discussion, the Board agreed the \$50 to \$1000 range seemed reasonable. This will be tabled until the next meeting.

Meeting Open to the Public

Mr. Nachtigal opened the meeting to the public. Hearing none, Mr. Nachtigal closed the public hearing.

Since there was no further business, Mr. Nachtigal moved to adjourn at 9:00 P.M. Dr. Marano seconded the motion and it carried unanimously.

Joy Wiley
Board of Health Secretary