

**MINUTES  
BOARD OF HEALTH  
TOWNSHIP OF CHATHAM  
MAY 11, 2010**

Mr. Jim Brown called the regular meeting of the Board of Health to order at 7:35 P.M.

Answering present to the roll call were Mr. Tubbs, Mr. Nachtigal, and Mr. Brown. Mr. Samara, Mrs. Feuer and Ms. Taormina were also present. Dr. Marano and Mr. Newby were 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 February 11, 2010; notice was posted on the bulletin board in the main hallway of the Municipal Building on February 11, 2010; and notice was filed with the Township Clerk on February 11, 2010.

**Approval of Minutes**

Mr. Brown moved to approve the March 9, 2010 and April 23, 2010 minutes. Mr. Tubbs seconded the motion, and it carried unanimously.

**Reports**

Registered Environmental Health Specialist

Mr. Samara gave the report for March and April. Retail food establishment inspections have been ongoing. Juniper Village was originally given a conditional rating, and all issues have since been brought into compliance. A summons was issued to Hickory Wine Cellar for failure to obtain a retail food license for 2009. The owner of the store failed to appear at the initial court date, and a new date has been set. For the month of April, additional retail food establishments were satisfactorily inspected. Mr. Samara noted that a Dunkin' Donuts/Baskin Robbins will be opening at the Hickory Square Mall in the same location where Saladworks used to be located. Mr. Tubbs asked about Cruisin' Oldies. Mr. Samara said that mobile ice cream vendors are required to have their trucks inspected. He also reported on a soil log and bed inspection at 150 Spring Valley Road. Mr. Nachtigal asked about the septic at St. Hubert's Giralda. Mr. Samara reported that there was a 1/3 expansion of the bed.

Registrar of Vital Statistics

Mr. LaConte reported that fees were collected for the following items in March 2010:

3 Marriage Licenses	\$84
8 Marriage Certificates	\$75
12 Death Certificates	<u>\$70</u>
Total	\$229

Mr. LaConte further reported that fees were collected for the following items in April 2010:

5 Marriage Licenses	\$140
3 Death Certificates	\$25
2 Marriage Certificates	<u>\$15</u>
Total	\$180

Correspondence

Mr. LaConte reported that a copy of a memo was received from Hatch Mott MacDonald regarding an approved sewer connection.

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

**Unfinished Business**

Septic Application – 342 Green Village Road

Mr. Forrest Shue (property owner) and Mr. Jeff Careaga (engineer) were present regarding an septic application for 342 Green Village Road. Mrs. Feuer distributed copies of correspondence between herself and Mr. Careaga in reference to the design drawings and revisions thereto. She also distributed some information regarding wetlands delineations and GP25 permits. The first topic of discussion was verification of the failure of the system. Mr. Careaga said that the amount of backflow into the tank after weekly pumping is an indication of the failure of the system. Mr. Samara added that he observed effluent ponding in the area of the cesspool. Mr. Tubbs asked what could have caused such failure. Mr. Careaga described how the property originally had a cesspool rather than a septic tank, and he explained how seepage pits begin to backup when the systems are not working. The Board was convinced that the system is indeed failed. Regarding setbacks, Mr. Careaga explained that because of topography, variances are required to place the disposal field 10 feet from the side-yard setback and 11 feet from the rear-yard setback. Mr. Brown asked if the owners of neighboring properties were informed of the request for variances, and Mr. Careaga said that the neighbors were not notified. Mr. Nachtigal explained that the neighbors would need to be notified because the placement of this system could affect their ability to have work done on their septic systems. Mr. Tubbs asked why it is necessary to place the disposal field in the proposed location. Mr. Careaga explained that because of the topography of the property, the proposed location is the only possible location. Mr. Shue indicated that he has verbally informed his neighbors as to the work that has been proposed for his septic system. Mrs. Feuer addressed soil log elevations on the design, and water table elevation. In regards to wetlands, Mrs. Feuer said that because it is a failed system, the Board has some leeway to approve the design despite the proposed field's proximity to wetlands. However, Mrs. Feuer indicated that more information regarding the wetlands delineation is necessary, and she cited some sources of wetlands information. A GP25 Permit would only be attainable from the DEP after the Board approves a septic design. There was also a discussion as to whether or not the proposed stormwater conveyance system would constitute a watercourse. Mrs. Feuer asked that two additional barriers be added. Once the necessary revisions are satisfactorily made, Mrs. Feuer will draft a letter of approval contingent upon the issuance of a GP25 by the DEP.

## **Discussion**

### **Septic Pumping Deferrals**

Mr. Brown informed the Board that some property owners were granted deferrals from the septic tank pumping requirement, and they would be required to pump for the next licensing period. Mr. LaConte noted that the property owners who were granted deferrals were senior citizens living alone, and one couple only inhabited their house for 6 months out of the year.

### **Meeting Open to Public**

Mr. Brown opened the meeting to the public. Seeing none, the public hearing was closed.

Mr. Brown moved to adjourn at 8:57 PM. Mr. Nachtigal seconded the motion, and it carried unanimously.

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Gregory J. LaConte  
Board of Health Secretary