

**MINUTES
BOARD OF HEALTH
TOWNSHIP OF CHATHAM
MAY 12, 2009**

President Jim Brown called the regular meeting of the Board of Health to order at 7:30 P.M.

Answering present to the roll call were Mr. Newby, Mr. Nachtigal and Mr. Brown. Dr. Marano was absent. Mr. Tubbs arrived at 7:50 P.M. Attorney Taormina 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, 2009; notice was posted on the bulletin board in the main hallway of the Municipal Building on January 14, 2009; and notice was filed with the Township Clerk on January 14, 2009.

Approval of Minutes

Mr. Brown moved approval of the minutes from April 14, 2009. Mr. Newby seconded the motion and it carried unanimously.

Reports

Registered Environmental Health Specialist

Registered Environmental Health Specialist Ben Samara reported that all the retail food establishment inspections were satisfactory during the month of April. Mr. Samara did a walk through inspection of Charlie Browns and Green Village Deli and met with the manager of the Fairmount Country Club concerning the new pool drain cover requirement. Mr. Samara also did a septic system bed inspection at St. Hubert's Giralda. The Hickory Plaza parking lot continues to be monitored for rodent activity and dumpster maintenance. Mr. Samara explained to the Board the different categories of Retail Food Risk Type Establishments.

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

4 Marriage Licenses	\$112
3 Certified copies of Marriage Licenses	25
5 Certified copies of death certificates	<u>40</u>
Total	\$177

Secretary- Mrs. Wiley reported that no new correspondence had been received. Mrs. Wiley updated the Board members on the status of the pending sewer connection list. Two homeowners still have not complied and will receive a summons in July. Mr. Samara said he would try to contact the two homeowners during the next week.

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

New Business

1. **Swine Flu-** Mr. Brown advised a large amount of information was received from Health Officer John Theese about the Swine Flu. The last update he received was on May 1, 2009. Mr. Brown also said a meeting was held with John Theese and other Board of Health Presidents on May 1, 2009 about the Swine Flu. Mr. Theese advised that the Superintendent of Schools is the only person who has the authority to close the schools. Mr. Nachtigal said the schools were receiving Swine Flu information from the County Health Officer. Mr. Samara informed the Board that presently only seven cases have been reported in New Jersey. Mr. Nachtigal questioned the availability of the vaccine in the fall. The Board discussed the possibility of two flu shots in the fall along with a booster, creating extra costs for the Flu Clinic.

2. Report from Jim Brown about meeting in South Brunswick- Mr. Brown advised he had attended a seminar in Monmouth Junction concerning the role and authority of the Local Boards of Health. The three types of Boards of Health and their powers were discussed. Mr. Brown advised there are 110 Health Departments and 556 Boards of Health in New Jersey. Mr. Brown also informed the Board that nail salons are regulated by the State. The meeting also covered a review of the Public Health Practices Standards requirements. Mr. Brown said he had received a handout on legal responsibilities and distributed to the Board some of the pamphlets and information he received. There will be a meeting in the future about the role of the Board of Health in emergency management.

Discussion/Possible Resolution

1. Deferrals of the requirement for connection to a public sewer- The Board briefly discussed the requirements the homeowners had to meet in order to be granted the deferral. Mr. Newby inquired about notification if a house is sold. The Board questioned whether the deferral is transferable to a new homeowner if the house is sold or if a new homeowner would need to hook up to the sewer immediately. Mr. Tubbs suggested amending the ordinance in the future if the Board wished to prohibit the transfer of a deferral.

RESOLUTION BH-2009-8

RESOLUTION OF THE BOARD OF HEALTH OF THE TOWNSHIP OF CHATHAM, IN THE COUNTY OF MORRIS, NEW JERSEY, GRANTING A DEFERRAL OF THE REQUIREMENT FOR CONNECTION TO A PUBLIC SEWER PURSUANT TO ORDINANCES BH-2-02 AND BH-1-03

WHEREAS, the applicant, Joyce E. Renner, Executrix for Joyce E. Hogg has applied for a deferral of the requirement for connection to a public sewer pursuant to Ordinances BH-2-02 and BH-1-03 ;

WHEREAS, the applicant, Joyce E. Renner, Executrix for Joyce E. Hogg has submitted written application and has complied with the provisions set forth in BH-2-02 (c) (d) (f) and (g) and BH-1-03;

NOW, THEREFORE, BE IT RESOLVED that the Board of Health of the Township of Chatham, in the County of Morris, New Jersey, hereby grants a deferral of the requirement for connection to a public sewer, to the applicant, Joyce E. Renner, Executrix for Joyce E. Hogg until May 10, 2010, at which time applicant is required to connect the building sewer located on Block 38 Lot 44 to the public sewer of the Township of Chatham, and have the connection approved by the Township plumbing inspector.

Mr. Newby moved to pass Resolution BH-2009-8. Mr. Tubbs seconded the motion.

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

RESOLUTION BH-2009-9

RESOLUTION OF THE BOARD OF HEALTH OF THE TOWNSHIP OF CHATHAM, IN THE COUNTY OF MORRIS, NEW JERSEY, GRANTING A DEFERRAL OF THE REQUIREMENT FOR CONNECTION TO A PUBLIC SEWER PURSUANT TO ORDINANCES BH-2-02 AND BH-1-03

WHEREAS, the applicants, Christopher Gaffney and Susan Trasino have applied for a deferral of the requirement for connection to a public sewer pursuant to Ordinances BH-2-02 and BH-1-03 ;

WHEREAS, the applicants, Christopher Gaffney and Susan Trasino have submitted written application and has complied with the provisions set forth in BH-2-02 (c) (d) (f) and (g) and BH-1-03;

NOW, THEREFORE, BE IT RESOLVED that the Board of Health of the Township of Chatham, in the County of Morris, New Jersey, hereby grants a deferral of the requirement for

connection to a public sewer, to the applicants, Christopher Gaffney and Susan Trasino until April 4, 2010, at which time applicant is required to connect the building sewer located on Block 39 Lot 69 to the public sewer of the Township of Chatham, and have the connection approved by the Township plumbing inspector.

Mr. Tubbs moved to pass Resolution BH-2009-9. Mr. Newby seconded the motion.

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

RESOLUTION BH-2009-10

RESOLUTION OF THE BOARD OF HEALTH OF THE TOWNSHIP OF CHATHAM, IN THE COUNTY OF MORRIS, NEW JERSEY, GRANTING A DEFERRAL OF THE REQUIREMENT FOR CONNECTION TO A PUBLIC SEWER PURSUANT TO ORDINANCES BH-2-02 AND BH-1-03

WHEREAS, the applicants, Daniel and Edith Guida have applied for a deferral of the requirement for connection to a public sewer pursuant to Ordinances BH-2-02 and BH-1-03;

WHEREAS, the applicants, Daniel and Edith Guida have submitted written application and has complied with the provisions set forth in BH-2-02 (c) (d) (f) and (g) and BH-1-03;

NOW, THEREFORE, BE IT RESOLVED that the Board of Health of the Township of Chatham, in the County of Morris, New Jersey, hereby grants a deferral of the requirement for connection to a public sewer, to the applicants, Daniel and Edith Guida until April 23, 2010, at which time applicant is required to connect the building sewer located on Block 39 Lot 70 to the public sewer of the Township of Chatham, and have the connection approved by the Township plumbing inspector.

Mr. Tubbs moved to pass Resolution BH-2009-10. Mr. Newby seconded the motion.

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

RESOLUTION BH-2009-11

RESOLUTION OF THE BOARD OF HEALTH OF THE TOWNSHIP OF CHATHAM, IN THE COUNTY OF MORRIS, NEW JERSEY, GRANTING A DEFERRAL OF THE REQUIREMENT FOR CONNECTION TO A PUBLIC SEWER PURSUANT TO ORDINANCES BH-2-02 AND BH-1-03

WHEREAS, the applicants, Fred and Diane Lewandowski have applied for a deferral of the requirement for connection to a public sewer pursuant to Ordinances BH-2-02 and BH-1-03;

WHEREAS, the applicants, no have submitted written application and has complied with the provisions set forth in BH-2-02 (c) (d) (f) and (g) and BH-1-03;

NOW, THEREFORE, BE IT RESOLVED that the Board of Health of the Township of Chatham, in the County of Morris, New Jersey, hereby grants a deferral of the requirement for connection to a public sewer, to the applicants, until July 30, 2010, at which time applicant is required to connect the building sewer located on Block 39 Lot 71 to the public sewer of the Township of Chatham, and have the connection approved by the Township plumbing inspector.

Mr. Tubbs moved to pass Resolution BH-2009-11. Mr. Newby seconded the motion.

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

2. Ordinance BH-1-09

Mr. Brown explained that Ordinance BH-1-09 is a combination of Ordinance BH 2-02 requiring connection to the public sewer and BH 1-03 that amends the type of inspection for a septic system if a deferral is being requested. The proposed ordinance would also repeal BH 4-67 since

plumbing inspectors are no longer associated with the Board of Health. Mr. Brown moved to introduce Ordinance BH-1-09. Mr. Nachtigal seconded the motion. Mr. Brown asked the Board for their comments. Mr. Newby suggested adding the amendment to the ordinance about prohibiting the transfer of the deferral that the Board discussed earlier in the meeting. The Board agreed that if a house is sold and the existing homeowner has been granted a deferral to tie into the sewer, the deferral is not transferable to the new owner of the property unless the new owner is a family member. The Board also discussed the 100-foot requirement to connect to the public sewer. Mr. Brown advised that since this is also referenced in the Township Code Book, the requirement should remain as it is. Mr. Tubbs recommended the Board might wish to increase the amount of the penalties and leave the actual fine up to the discretion of the Judge. The Board discussed increasing the penalty to read “up to \$250.00” and an additional penalty “up to \$100.00”. Mr. Brown will relay this discussion to Attorney Taormina so the additional comments can be incorporated into the ordinance for introduction at the next meeting.

3. Current Noise Ordinance- Mr. Brown said he had discussed our current noise ordinance with John Theese and the Board of Health’s Noise Ordinance is more restrictive than the state model noise ordinance. Our current noise ordinance can be used with leaf blowers, whereas the state ordinance says they are exempt. The other common noise complaint is about loud radios belonging to construction workers at an adjacent lot. Mr. Tubbs said the Environmental Commission was hoping to make the noise ordinance more restrictive with respect to the time of day leaf blowers could be in operation. Mr. Brown said the Board might wish to discuss the Noise Ordinance in the future.
4. Letter from Bailey Brower, Jr.- Mr. Brown advised he had received a letter from Township Committeeman Bailey Brower about the Township’s snow removal ordinances and the Board of Health Noise Ordinance. Mr. Tubbs explained that Mr. Brower was concerned with noise related to individual residences using their own snow removal equipment. Mr. Nachtigal thought snow removal equipment was exempt under the state noise ordinance. Mr. Samara said he would verify that snow removal equipment is covered under the landscaping section and is therefore exempt. Mr. Tubbs said two other issues are snow removal on sidewalks and the condition of sidewalks. Following a brief discussion, the consensus of the Board was that they do not wish to change the noise ordinance since citizens wish to operate their snow blowers at all different hours of the day.
5. Homeowners Guide to Septic Systems- Mr. Brown distributed a copy of the recent Homeowners Guide to Septic Systems published by the NJDEP. The suggestion was made that an electronic link be placed to it on the website.
6. Annual Meeting of the Morris Regional Public Health Partnership- Mr. Brown reminded the Board that the annual meeting of the Morris Regional Public Health Partnership will be held on May 27, 2009 from 6-8 P.M. for those members who wish to attend.

Meeting Open to the Public

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

Mr. Newby moved to adjourn at 8:55 P.M. Mr. Tubbs seconded the motion and it carried unanimously.

Joy M. Wiley
Board of Health Secretary