

**MINUTES
BOARD OF HEALTH
TOWNSHIP OF CHATHAM
OCTOBER 13, 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 Dr. Marano, Mr. Tubbs, Mr. Newby, Mr. Nachtigal and Mr. Brown. 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 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 September 8, 2009. Mr. Nachtigal seconded the motion and it carried unanimously.

Reports

Registered Environmental Health Specialist

Registered Environmental Health Specialist Ben Samara reported that he continued with second inspections of the retail food establishments during the month of September and all were satisfactory. Mr. Samara noted Java Lou's might be sold to a new owner who would need to apply for a new retail food establishment license. Mr. Samara witnessed a septic abandonment on Meyersville Road and a septic repair on Green Village Road during the month of September. He also advised that he continues to survey the Hickory Plaza parking lot for litter and dumpster maintenance. Mr. Samara also inspected a property on Dale Drive regarding overgrown grass and weeds. In addition, Mr. Samara attended a seminar about pharmajat training and practiced using syringe and automatic vaccinators.

Registrar of Vital Statistics

Mrs. Wiley reported the following licenses were issued in September:

3 Marriage Licenses	\$84
3 Certified copies of death certificates	\$20
Total	\$104

Secretary- Mrs. Wiley reported there was no new correspondence.

Mr. Tubbs asked about the status of the vaccinations for the Swine Flu. Mr. Samara replied the Health Department has received a large supply of the H1N1 vaccine and that they are in the process of setting up for the Swine Flu Clinics. The Board discussed why the shots are given separately. Mr. Nachtigal advised the schools had sent emails to the parents asking whether they will allow their children to be vaccinated and if so, how many children. The parents were also asked to complete a permission slip for the H1N1 vaccine. Mr. Newby said over 300 people had attended the seasonal flu clinic.

Mr. Brown moved to accept the reports. Mr. Newby seconded the motion. The motion carried unanimously.

Public Hearing/Final Adoption of Ordinances

ORDINANCE BH-2-09

AN ORDINANCE OF THE BOARD OF HEALTH OF THE TOWNSHIP OF CHATHAM AMENDING THE REGULATIONS FOR THE CONSTRUCTION, LOCATION, USE AND DECOMMISSIONING OF INDIVIDUAL WATER SUPPLY SYSTEMS WITHIN THE TOWNSHIP, AND PROVIDING PENALTIES FOR THE VIOLATION THEREOF AND REPEALING BH-5-67

BE IT ORDAINED, by the Board of Health of the Township of Chatham in the County of Morris and State of New Jersey, as follows:

1. Chapter 5, Permit and Certificate of Compliance of Ordinance BH-1-05 adopted May 10, 2005 by the Board of Health of the Township of Chatham, in the County of Morris, State of New Jersey, is hereby amended so that chapter shall read in its entirety, as follows:

CHAPTER 5: PERMIT and CERTIFICATE OF COMPLIANCE

5.1 PERMITS.

- A. Well Permits. No person shall locate, construct, repair, deepen, abandon, decommission or alter any well, or utilize an existing well for any non-essential use, without first receiving a well permit from the Board of Health. All abandoned wells must be decommissioned in accordance with the procedure set forth in N.J.A.C. 7:9D, "Well construction; maintenance and sealing of abandoned wells, Subchapter 3.1 General requirements and procedures for the decommissioning of wells." Inspections shall be scheduled and performed by the Board of Health as part of the permit requirements. Emergency activity due to "no water" may proceed without inspection and prior to the issuance of a permit in order to restore water to a property. However, the Board of Health must be notified of the activity as soon as possible but no later than the next business day. Applicant shall post all appropriate fees for the applicable permit, including fees for non-essential use and non-essential wells.
- B. Construction Permits. No construction permit for a new home, new septic system, or other structure shall be issued unless the well intended to serve the home(s) or structure(s) has been drilled, tested and certified by the applicant's engineer or well driller as complying with State Standards for the Construction of Public Noncommunity and Nonpublic Water Systems (N.J.A.C. 7:10-12.1 et seq.), subsections 16-6.6, 16-6.7 and 16-6.8 of this section, and approved by the Local Enforcement Officer.
- C. Construction Permits for Additions and Other Structures. No construction permit for an addition or other structure shall be issued unless the new or existing well is a minimum distance of twenty feet from the addition or other structure, including decks, patios or other improvements.
- D. Reports on the repair, replacement or abandonment of all wells and well pumps shall be submitted no later than thirty (30) days upon completion of the permitted activity.
- E. Permits Required. It shall be the responsibility of the Developer to obtain a permit prior to drilling. However, the Developer may carry out this responsibility through the owner or applicant.
- F. Expiration of Permits. Every Permit issued pursuant to this ordinance shall expire twelve (12) months after the date of issuance, unless prior to such time construction of the realty improvement with respect to which the Permit was

issued shall have been commenced, in which event the Permit shall remain valid and in effect for a period of two (2) years from the date of issuance.

2. BH-5-67 is hereby repealed.
3. This Ordinance shall take effect after final publication in accordance with the laws of the State of New Jersey.

Mr. Brown opened the Public Hearing on Ordinance BH-2-09. Hearing none, Mr. Brown closed the public hearing.

Mr. Brown moved to adopt Ordinance BH-2-09. Mr. Newby seconded the motion.

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

Discussion/Possible Ordinance or Resolution

1. 2010-2012 Board of Health Contract with Madison Health Department – Mr. Brown advised the increase is 7 ½ % each year and that the Madison Health Department changed their method of computing their fair share by using an approach called universal time. Mr. Brown advised he had two meetings with Health Officer John Theese who explained how the increase is calculated and how this approach differed from previous years. Mr. Tubbs requested legal review of the document and that as Mayor he would like to discuss the increase with the Township Committee since the township is working with a 4 % budget cap. Attorney Taormina was asked to review the document.
2. Septic Management Ordinance- The Board reviewed each page of the revised draft of the State Model Septic Maintenance Ordinance that Mr. Brown had distributed to determine whether the regulation appears reasonable. The Board members omitted some paragraphs and offered suggestions on the wordings in several sections of the ordinance. Attorney Taormina will incorporate the proposed revisions into the ordinance for the next meeting.

Mr. Brown moved to adjourn at 9:30 P.M. Mr. Nachtigal seconded the motion and it carried unanimously.

Joy M. Wiley
Board of Health Secretary