

**MINUTES
BOARD OF HEALTH
TOWNSHIP OF CHATHAM
July 8, 2014**

Mr. Nachtigal called the regular meeting of the Board of Health to order at 7:32 P.M.

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 15, 2014; notice was posted on the bulletin board in the main hallway of the Municipal Building on January 15, 2014; and notice was filed with the Township Clerk on January 15, 2014.

Answering present to the roll call were Mr. Brower, Mrs. Plantemoli, Mrs. Babbitt and Mr. Nachtigal. Ms. Taormina and Mr. Samara were also present. Dr. Downey was absent.

Approval of Minutes

Mr. Nachtigal asked that the minutes from the June 2014 meeting reflect that he had asked if a pump pit for a septic application would be watertight. Mr. Brower asked about the rationale for modifying the retail food license fees. Mr. Nachtigal said that the change made by the ordinance is to create the plan review fee.

Mr. Nachtigal moved to approve the minutes as amended. Mr. Brower seconded the motion, and it carried unanimously.

Reports

Registered Environmental Health Specialist

Mr. Samara reported on the retail food establishment inspections which were performed. He also reported that an inspection was performed at a condo, and the resident needs to work with his insurance agent instead of the Health Department. He also performed a rodent inspection on Scenery Hill Drive. Mr. Nachtigal asked if the Fairmount Country Store is properly maintaining their dumpster to keep away bears. Mr. Samara said that they were. Mr. Brower raised a concern that the Fairmount Country Store has a single unisex bathroom. Mr. Nachtigal asked if the State Health Code requires a certain number of bathrooms, and asked if a memo could be sent to the zoning office to see if any zoning violations are occurring at the business.

Registrar of Vital Statistics

Mr. LaConte reported that fees were collected for the following items in June 2014:

3 Marriage Licenses	\$84
11 Marriage Certificates	<u>\$70</u>
Total	\$154

Mr. LaConte further reported that for the 2nd Quarter, a disbursement was made to the Township in the amount of \$558, of which \$275 was the State's share of marriage license fees.

Mr. Brower moved to accept the reports. Mrs. Plantemoli seconded the motion, and it carried unanimously.

Septic Applications

55 Loantaka Lane North, Block 140 Lot 4.01

Mr. Nachtigal read into the record the review memorandum dated June 12, 2014 from Hatch Mott MacDonald. The system includes an aerobic pretreatment device, which Mr. Ruschke's office has approved as long as it is followed by a septic tank. Mr. Brower raised a concern that the device might cause odors, and Mr. Samara said that such devices have filters that need to be changed periodically. One of the conditions of approval is that a deed restriction be created to

require future owners to properly maintain the system. Mr. Nachtigal noted that the plan was also revised to show that the old septic tank will be removed and disposed of off-site.

Mr. Brower moved to approve the application. Mr. Nachtigal seconded the motion.

Roll call: Mr. Brower, Aye; Mrs. Plantemoli, Aye; Dr. Downey, Absent; Mrs. Babbitt, Aye; Mr. Nachtigal, Aye.

769 Shunpike Road, Block 144 Lot 20

Mr. Nachtigal asked if this application was connected with the renovation of a pool house. The application would have a septic tank and a dosage tank for the pool house, which would then lead to the existing disposal field. Mr. Nachtigal quoted the review memorandum from Hatch Mott MacDonald that the application does not appear to include any expansion or change in use. Ms. Taormina suggested that the applicant's engineer should revise and resubmit the design so that the application can be heard at the September meeting. The hearing on the application was tabled until the September meeting so that the revisions can be made and so that the design engineer can attend to address any questions.

Public Hearing/Final Adoption of Ordinances

**ORDINANCE BH-1-14
AN ORDINANCE FURTHER AMENDING THE REGULATIONS OF THE BOARD OF
HEALTH OF THE TOWNSHIP OF CHATHAM, IN THE COUNTY OF MORRIS, NEW
JERSEY, RESPECTING RETAIL FOOD ESTABLISHMENTS WITHIN THE TOWNSHIP AND
THE FEES PERTAINING THERETO**

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

1. Section 4, Fees for Licenses, of Ordinance BH-1-97 adopted May 13, 1997 by the Board of Health of the Township of Chatham, in the County of Morris, State of New Jersey for the purpose of establishing certain regulations with respects to retail food establishments within the Township, as amended by Ordinance BH-5-01 adopted on November 13, 2001, Ordinance BH-1-02 adopted on October 8, 2002, as amended by Ordinance BH-1-04 adopted on June 8, 2004, as amended by BH-1-10 adopted on April 23, 2010 is hereby further amended so that said section shall read in its entirety, as follows:

Section 4. FEES FOR LICENSES.

The fees for regular retail food establishment licenses shall be as follows:

Plan Review Fee	\$225.00
Plan Alterations Review Fee	\$175.00
Store/Food Establishment	
Up to and including 10,000 square feet	\$ 100.00 per annum
More than 10,000 square feet	\$ 200.00 per annum
Deli/Restaurant	
1 to 25 seats	\$ 50.00 per annum
26 to 50 seats	\$ 100.00 per annum
More than 50 seats	\$ 150.00 per annum
Long Term or Assisted Care Facility having a maximum available capacity of	
1 to 25 residents	\$ 75.00 per annum
26 to 50 residents	\$ 150.00 per annum
51 to 100 residents	\$ 225.00 per annum
More that 100 residents	\$ 300.00 per annum
Vendors purveying individual servings of ice cream or other frozen confections, hot or cold drinks, candies, popcorn, fruit or other edible products	\$ 50.00 per annum
Vendors delivering dairy products to dwellings or dwelling Units	\$ 10.00 per annum per vehicle

Farm Stands	\$ 25.00 per annum
Swim Club Snack Bars	\$ 50.00 per annum
Packaged Goods only	\$ 50.00 per annum
A temporary license for up to 3 days for a special event or celebration at which food will be served to the public by other than a school, church or non-profit organization	\$ 25.00 per event

There shall be no fee for a school, church or non-profit organization having permanent or temporary kitchen facilities, provided that a license shall be obtained for any permanent kitchen facilities and further provided that the Township Board of Health may at any time inspect the operation of any temporary kitchen facilities.

The annual fee for a regular license shall not be prorated by reason of the date upon which the license may be issued.

All required license fees shall be due and payable on the first business day of January of each year. Effective May 1, 2010 and February 1 every year thereafter, an additional late fee of \$50.00 will be charged to those retail food establishments who have not obtained a license.

The fee for a retail food establishment license shall cover an initial inspection and one reinspection if the establishment is not given a "satisfactory" rating on the basis of the initial inspection. There shall be a charge of \$ 50.00 each for a third and any further inspections required prior to the issuance of a license.

No license issued pursuant to this ordinance shall be transferable in any manner.

2. This Ordinance shall take effect thirty (30) days after the publication of notice of final adoption as provided by law.

Mr. Nachtigal opened the Public Hearing on Ordinance BH-1-2014. Mr. Brower seconded the motion.

Mr. Nachtigal moved to adopt Ordinance BH-1-14. Mrs. Babbitt seconded the motion.

Roll call: Mr. Brower, Aye; Mrs. Plantemoli, Aye; Dr. Downey, Absent; Mrs. Babbitt, Aye; Mr. Nachtigal, Aye.

Discussion

Pools

Mr. Brower said that there is a requirement that pools have a phone available in case 9-1-1 needs to be called. Mr. Samara said that although most lifeguards have cell phones, he recommends that a landline still be available. Mr. Brower noted that there have been instances where people move to different areas and retain a cell number, and when they dial 9-1-1 the call goes to the area where the cell number was assigned.

Certified Copy Fees

Mr. LaConte said that current fees for certified copies are \$10 for the first copy, and \$5 for each additional. He also provided information on what surrounding municipalities in Morris County charge. Mr. LaConte also noted that there has not been any change in the volume of requests that would warrant any increase. Mr. Nachtigal opined that the fees should be left as they are, and the question can be revisited again in a couple years.

Annual Report

Mr. Nachtigal updated the Board on the Annual Report that was presented to the Township Committee. One issue that came up was the importance of vaccinations for children, and Mr. Nachtigal said that the Board should come up with ways to encourage parents to make sure that

their children are properly immunized. Emergency Management was also discussed, and there is still an ongoing search for an OEM Coordinator. Mr. Nachtigal also said that he brought up the topic of generators during the Annual Report, particularly in reference to the noise they create. He would like to see the setback requirements be reexamined so as not to create noise ordinance violations. Mr. Nachtigal also cited that there is equipment available that can help mitigate sound from generators. Mr. Brower said that the Township Committee should look into the regulations regarding generators.

Meeting Open to Public

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

Mrs. Babbitt moved to adjourn at 9:08 PM. Mr. Nachtigal seconded the motion, and it carried unanimously.

The next meeting of the Board of Health is scheduled for September 9, 2014.

Gregory J. LaConte
Board of Health Secretary