

**MINUTES  
BOARD OF HEALTH  
TOWNSHIP OF CHATHAM  
JANUARY 14, 2014**

Mr. Nachtigal called the regular meeting of the Board of Health to order at 7:35 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 December 10, 2013; notice was posted on the bulletin board in the main hallway of the Municipal Building on December 10, 2013; and notice was filed with the Township Clerk on December 10, 2013.

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

**Selection of President**

Mr. Brower moved to nominate John Nachtigal to serve as President of the Board of Health for 2014. Mrs. Babbitt seconded the motion, and it carried unanimously.

**Selection of Vice President**

Mr. Nachtigal moved to nominate JoAnne Babbitt as Vice President of the Board of Health for 2014. Mr. Brower seconded the motion, and it carried unanimously.

**Resolutions**

**RESOLUTION BH-2014-1  
RESOLUTION OF THE BOARD OF HEALTH OF THE TOWNSHIP OF CHATHAM IN THE  
COUNTY OF MORRIS, NEW JERSEY, ESTABLISHING REGULAR MEETING SCHEDULE  
FOR THE BOARD OF HEALTH DURING 2014**

**WHEREAS**, the "Open Public Meetings Act", N.J.S.A. 10:4-6 et seq. requires that public bodies provide adequate notice of meetings;

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Health of the Township of Chatham in the County of Morris, New Jersey, as follows:

- 1) During the calendar year 2014 meetings will be held by the Board of Health to discuss or act upon public business at 7:30 p.m., prevailing time, at the Municipal Building on the following dates: February 11, March 11, April 8, May 13, June 10, July 8, August 12, September 9, October 14, November 18, December 9, and January 13, 2015.
- 2) Certified copies of this Resolution shall be (a) mailed to The Chatham Courier, (b) mailed to the Morris County Daily Record, (c) filed with the Municipal Clerk of the Township of Chatham, (d) posted on the bulletin board in the main hallway of the Municipal Building, and (e) mailed to any person requesting notices of the meetings of the Board of Health, pursuant to N.J.S.A. 10:4-19 who has paid the required fee theretofore. The foregoing shall be accomplished within (7) days of the adoption of this Resolution.

Mr. Brower asked if the calendar was reviewed to make sure there were not any conflicts. Mr. LaConte said that such a review was done, and noted that the November meeting was set for the third Thursday of that month as not to conflict with Election Day or Veterans Day.

Mr. Nachtigal moved to pass Resolution 2014-1. Mr. Brower seconded the motion.

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

**RESOLUTION BH-2014-2  
RESOLUTION OF THE BOARD OF HEALTH OF THE TOWNSHIP OF CHATHAM IN THE  
COUNTY OF MORRIS, NEW JERSEY, DESIGNATING NEWSPAPERS  
AND FIXING CHARGES FOR NOTICES OF PUBLIC MEETINGS OF SAID  
BOARD OF HEALTH DURING 2014**

**WHEREAS**, the "Open Public Meetings Act", N.J.S.A. 10:4-6 et seq., be given of meetings of public bodies as therein defined and in the manner therein set forth;

**NOW, THEREFORE BE IT RESOLVED** by the Board of Health of the Township of Chatham in the County of Morris, New Jersey, as follows:

1. **THE CHATHAM COURIER** and **THE MORRIS COUNTY DAILY RECORD** are hereby designated for the calendar year 2014 as the two newspapers to receive notices of meetings of the Board of Health as required by any and all sections of the Open Public Meetings Act, it appearing that these newspapers are the most likely to inform the local public of such meetings.
2. The public place for posting of notices of meetings of the Board of Health for the calendar year of 2014 shall be on the bulletin board in the main hallway of the Municipal Building.
3. The sum of \$10.00 is hereby fixed as the fee to be paid by any person requesting that notices of the meetings of the Board of Health during the calendar year 2014 be mailed to such persons as specified in R.S.40:4-19, provided, however, that no charge shall be made to any newspaper requesting the mailing of notices to its business office.
4. Certified copies of this Resolution shall be mailed by the Secretary of the Board of Health to **THE CHATHAM COURIER** and the **MORRIS COUNTY DAILY RECORD**, and a certified copy shall be filed with the Clerk of the Township of Chatham.

Mr. Brower asked if there is a trend for an internet news source to be designated as well. Mr. LaConte said that current regulations are for a print newspaper to be designated.

Mr. Nachtigal moved to pass Resolution 2014-2. Mr. Brower seconded the motion.

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

#### **RESOLUTION BH-2014-3**

#### **RESOLUTION OF THE BOARD OF HEALTH OF THE TOWNSHIP OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY, APPOINTING GREGORY J. LACONTE BOARD SECRETARY**

**WHEREAS**, the Board of Health of the Township of Chatham, County of Morris, State of New Jersey, desires to appoint Gregory J. LaConte as Board Secretary for the period commencing January 1, 2014 and ending December 31, 2014.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Health of the Township of Chatham as follows:

1. Gregory J. LaConte is hereby appointed as Board Secretary for a term commencing January 1, 2014 and terminating December 31, 2014.
2. The compensation to be paid to Gregory J. LaConte for services rendered to the Board shall be an annual salary in accordance with the Salary Resolution of the Township of Chatham.

Mr. Nachtigal moved to pass Resolution 2014-3. Mr. Brower seconded the motion.

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

Mr. Brower asked about the salaries for the Board's professionals. Mr. LaConte said that the professionals are paid hourly rates per their contracts. Mr. Brower also asked if the hourly rate is portal-to-portal, or if it is just for time spent at the meeting.

#### **RESOLUTION BH-2014-4**

#### **RESOLUTION OF THE BOARD OF HEALTH OF THE TOWNSHIP OF CHATHAM, IN THE COUNTY OF MORRIS, NEW JERSEY, APPOINTING ATTORNEY FOR THE BOARD FOR THE YEAR 2014**

**WHEREAS**, after consideration, the Board of Health of the Township of Chatham has determined to engage the services of Marisa A. Taormina, Esq. as attorney for the Board for the calendar year 2014.

**NOW, THEREFORE, BE IT RESOLVED**, by the Board of Health of the Township of Chatham, in the County of Morris, New Jersey, as follows:

1. Marisa A. Taormina, Esq. is hereby appointed as the attorney for the Board of Health for the calendar year 2014. The compensation for the services performed shall be within the amount provided in the 2014 Budget for the Board of Health legal services.

2. This contract is awarded without competitive bidding as a professional service under the provisions of the Local Public Contracts Law, N.J.S.A. 40A:11-5(a) (a) (i), and notice of the award shall be published as required by law.

Mr. Brower asked if the contract still includes liability insurance. Mr. LaConte said that the clause is still in the contract, and that the only change from the 2013 contract is the term of the appointment. Mr. Brower also said that the Board should ascertain who is liable for paying the deductible on the insurance policy.

Mr. Nachtigal moved to pass Resolution 2014-4. Mr. Brower seconded the motion.

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

#### **RESOLUTION BH-2014-5**

#### **RESOLUTION OF THE BOARD OF HEALTH OF THE TOWNSHIP OF CHATHAM, IN THE COUNTY OF MORRIS, NEW JERSEY, AUTHORIZING A CONTRACT WITH HATCH MOTT MacDONALD FOR PROFESSIONAL CONSULTING ENGINEERING SERVICES**

**WHEREAS**, the Board of Health of the Township of Chatham requires professional consulting engineering services in connection with the review of applications submitted to the Board for permits and other approvals;

**WHEREAS**, a proposed contract for professional consulting engineering services for the calendar year 2014 has been submitted to the Board by Hatch Mott MacDonald in the form marked "Appendix A" and attached to the Resolution, and such proposed contract is acceptable to the Board;

**WHEREAS**, funds will be available for payment for the services rendered by Hatch Mott MacDonald to the Board, such funds being available through technical review fees charges to applicants and/or through funds appropriated for Board operations in the 2014 Township of Chatham budget; and

**WHEREAS**, the Local Public Contracts Law requires that public notice be given of the award of any contract for professional services without competitive bidding.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Health of the Township of Chatham, in the County of Morris, New Jersey, as follows:

1. A contract for professional consulting services during the calendar year 2014 is hereby awarded to Hatch Mott MacDonald such contract to be as set forth in "Appendix A" attached to this Resolution.
2. The Mayor is hereby authorized and directed to execute on behalf of the Board the contract awarded by Paragraph 1 of this Resolution, and the Township Clerk is hereby authorized and directed to attest such contract.
3. The award of contract pursuant to this Resolution is made without competitive bidding in accordance with the professional service provisions of the Local Public Contracts Law, N.J.S.A. 40A:11-5(1)(a)(i).
4. Notice of this contract award shall be published by the Secretary of the Board as required by law.
5. A certified copy of this Resolution shall be forwarded by the Secretary of the Board to Hatch Mott MacDonald.

Mr. LaConte noted that Mr. Ruschke from Hatch Mott MacDonald also serves as the engineer for the Planning Board, Zoning Board and Township Committee. Mr. Nachtigal asked about Mr. Ruschke's expertise with septic systems. Mr. Brower said that a firm of the size of Hatch Mott MacDonald has the resources for Mr. Ruschke to consult with other engineers in the firm if need be, and he commented on his satisfaction with the work that Mr. Ruschke has provided to other boards. Mr. Nachtigal also noted the AECOM had expressed that they were not interested in continuing to serve the Board.

Mr. Nachtigal moved to pass Resolution 2014-5. Mr. Brower seconded the motion.

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

Mr. Brower asked about the Annual Report from the Health Department. Mr. Nachtigal said that he would work with the Health Officer to get that report together. Mr. LaConte said that he would work with Mayor Sullivan to develop a schedule for the Board to appear before the Township Committee to deliver the report. Mr. Brower said that the Board should revisit the topic of the Noise Ordinance when developing the Annual Report. Mr. Nachtigal reported that several municipalities have gotten their noise ordinances approved by the DEP even though they

deviated from the State’s model ordinance. Mr. Brower said that there is a concern over contractors starting work earlier than they are allowed.

**Approval of Minutes**

Mr. Brower moved to approve the minutes of the November 12, 2013 meeting. Mr. Nachtigal seconded the motion, and it carried unanimously.

**Reports**

**Registered Environmental Health Specialist**

Mr. Samara provided his report for November 2013. He addressed a complaint that was received about Charlie Brown’s. Mr. Samara also reported that septic inspections were conducted at 652 River Road for the installation of the new system. Mr. Nachtigal updated the Board on that project regarding the requirement to hook up to NJ American Water. Mr. LaConte said that the road has markings for the connection to be installed. Mr. Samara further reported on the annual Rabies Clinic.

Mr. Samara also provided the report for December 2013. A letter was sent to an individual for a complaint about a dog at large. Mr. Nachtigal asked how things were working out with Millburn providing animal control services. Mr. LaConte said that those calls go through the Police Department rather than through Town Hall.

**Registrar of Vital Statistics**

Mr. LaConte reported that fees were collected for the following items in November 2013:

3 Marriage Licenses	\$84
10 Marriage Certificates	<u>\$75</u>
Total	\$159

Mr. LaConte reported that fees were collected for the following items in December 2013:

7 Marriage Certificates	<u>\$55</u>
Total	\$55

Mr. LaConte also provided year-to-date totals for 2013.

Mr. Nachtigal moved to approve the reports.

**Pending Septic Application**

**Block 139, Lot 3.04; Owner – Hughes**

Mr. Nachtigal said that the commentary from AECOM noted that a determination needed to be made if the site plan approved by the Planning Board in 1989 is the same as being presented as part of this application. Mr. Nachtigal also reviewed the DEP’s wetlands approvals for this property with the Board. The Board will follow up with Mr. Chianelli to see if he has any additional comments regarding the site plan and wetlands issues.

**Recognition**

Mr. Nachtigal noted that Dr. Jim Brown has stepped down from the Board of Health following the expiration of his term on the Board. Mr. Brower said that the Township Committee would look to honor Dr. Brown for his service to both the Board and the Township. Mr. Nachtigal read into the record the following statement honoring Dr. Brown.

Dr. Brown has given his time and utmost efforts to ensure and protect the Public Health of the community of Chatham Township guiding us under the laws of the State of New Jersey. We hereby acknowledge Dr. Brown's extensive contributions to the community of Chatham Township during his service to this board and have deep gratitude for his

contributions. His loyal service, attentiveness to the needs of the community and giving nature will be missed on the Board of Health. Thank you Dr. Brown

**Meeting Open to Public**

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

Mr. Brower moved to adjourn at 9:00 PM. Mr. Nachtigal seconded the motion, and it carried unanimously.

The next meeting of the Board of Health is scheduled for February 11, 2014.

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Gregory J. LaConte  
Board of Health Secretary