

**MINUTES  
BOARD OF HEALTH  
TOWNSHIP OF CHATHAM  
June 10, 2014**

Mr. Nachtigal called the regular meeting of the Board of Health to order at 7:37 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 Dr. Downey, Mrs. Babbitt and Mr. Nachtigal. Ms. Taormina, Mrs. Gulla and Mr. Samara were also present. Mr. Brower and Mrs. Plantemoli were absent.

**Approval of Minutes**

Mr. Nachtigal moved to approve the March 11, 2014 meeting minutes. Mrs. Babbitt seconded the motion, and it carried unanimously.

Mr. Nachtigal moved to approve the May 27, 2014 meeting minutes. Dr. Downey seconded the motion.

**Septic Applications**

**Block 139, Lot 4.01 – 23 Loantaka Lane South**

Mark Patalive from Schommer Engineering was present to address the septic application. He said that the application is to alter the current system by relocating the septic tank so that the property owner can put an addition onto the house. The new tank will also be an improvement as it will meet the new standards. Mr. Nachtigal asked questions about the pump pit near a retaining wall, and if it would be watertight. Mr. Patalive said that there would not be any effluent leaking through the retaining wall. He also said that fill will be added for the patio, which would also prevent effluent from becoming a problem. Mr. Patalive also reviewed with the Board the comments in a memoranda from Hatch Mott MacDonald and responded to the comments.

Mr. Nachtigal moved to approve the application with the revisions per a memoranda dated June 10, 2014 from Hatch Mott MacDonald as discussed with Mr. Patalive, and that the two notions requested be that the system be designed with the retaining wall so that there not be any groundwater infiltration to the pump tank, and that the homeowners have the pump inspected to make sure it is properly functioning. Mrs. Babbitt seconded the motion.

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

**Block 62, Lot 62 – 548 River Road**

Mr. Nachtigal said that the lot in this application is a difficult lot to work with, as it is a narrow lot with steep slopes. Steve Parker, the design engineer for this application, was present to address the design. Mr. Parker said that there is an existing house, and there is no proposed expansion of the house. This application is for an alteration for a malfunctioning system, and Mr. Parker reiterated the hardships on the lot. The only usable space on the lot is too small for a conforming system, which is why design waivers are being sought. Mr. Parker reviewed with the Board the comments in a memorandum from Hatch Mott MacDonald dated June 2, 2014, and he responded to the comments. Mr. Nachtigal asked about setbacks from septic systems on adjacent properties. Mrs. Barton, the applicant and owner of 548 River Road, said that the neighboring septic on one property is in their backyard, and the other is in the side yard away from the proposed system on her lot. Mr. Nachtigal asked about the elevation of the floor of the basement relative to the invert of the seepage pit. Mr. Parker estimated that the basement floor is about two feet below the invert. He also said that seepage would flow straight down or back up,

not sideways. Mr. Patalive also said that the system as proposed is the best system that can be designed given the constraints on the property.

Mr. Nachtigal moved to approve the application. Dr. Downey seconded the motion.

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

Block 140, Lot 4.01 – 55 Loantaka Lane North

Mr. LaConte provided to the Board information that was submitted by the applicant's engineer. Mr. Nachtigal said that he would like for Hatch Mott MacDonald to provide commentary on the additional information before the Board takes any action.

**Reports**

Registered Environmental Health Specialist

Mr. Samara reported on inspections that were satisfactorily performed in March, April and May. He also noted that Blossom Asian Bistro has opened a new location in the space where Nine Thai used to be located. Mr. Samara also reported on septic inspections that were performed. Mr. Nachtigal raised concerns about a program run at the Chatham High School in which students bake bread to be donated to a local food pantry. Mr. Samara further reported on inspections performed at the public swimming pools. Mr. Samara also noted that he did an inspection on a property on Meyersville Road that had property maintenance issues following a house fire several months ago. He also inspected the dumpsters at the Fairmount Country Store.

Health Officer

Mrs. Gulla reported that the Health Department is applying for a Healthy Communities Grant. The Township has requested that its share of any grant money received be used for garbage cans at Shunpike Field, and the Board discussed potential other ideas. Mrs. Gulla also reported on the push for vaccinations for measles. She also mentioned surveillance of reports of people contracting MERS. Mrs. Babbitt asked if the Board should be doing some outreach to encourage people to get their proper vaccinations and boosters. Mrs. Gulla said that the Health Department can prepare flyers to be posted to encourage vaccine boosters. There have not been any West Nile Virus issues yet this year.

Registrar of Vital Statistics

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

1 Marriage License	\$28
2 Death Certificates	\$15
10 Marriage Certificates	<u>\$70</u>
Total	\$113

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

4 Marriage Licenses	\$112
2 Marriage Certificates	\$ 20
4 Death Certificates	<u>\$ 30</u>
Total	\$162

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

4 Marriage Licenses	\$112
12 Death Certificates	\$ 80
7 Marriage Certificates	<u>\$ 50</u>
Total	\$242

Mr. Nachtigal moved to accept the reports. Mrs. Babbitt seconded the motion, and it carried unanimously.

**Introduction 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
<b>Plan Alterations Review Fee</b>	<b>\$175.00</b>
<b>Store/Food Establishment</b>	
Up to and including 10,000 square feet	\$ 100.00 per annum
More than 10,000 square feet	\$ 200.00 per annum
<b>Deli/Restaurant</b>	
1 to 25 seats	\$ 50.00 per annum
26 to 50 seats	\$ 100.00 per annum
More than 50 seats	\$ 150.00 per annum
<b>Long Term or Assisted Care Facility having a maximum available capacity of</b>	
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
<b>Farm Stands</b>	\$ 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 noted that the changes made by this ordinance to the current fee structure is the \$225 Plan Review Fee and the \$175 Plan Alterations Review Fee.

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

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

Public Hearing will be scheduled for July 8, 2014.

**Meeting Open to Public**

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

Mr. Nachtigal moved to adjourn at 9:14 PM. Dr. Downey seconded the motion, and it carried unanimously.

The next meeting of the Board of Health is scheduled for July 8, 2014.

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Gregory J. LaConte  
Board of Health Secretary