

**MINUTES  
BOARD OF HEALTH  
TOWNSHIP OF CHATHAM  
MARCH 7, 2024**

Mrs. Fowler called the Regular Meeting of the Board of Health to order at 7:30 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 5, 2024; notice was posted on the bulletin board in the main hallway of the Municipal Building on January 5, 2024; and notice was filed with the Township Clerk on January 5, 2024.

**Oaths of Office**

Mrs. McCormack and Mr. Srinivasan were sworn in as members of the Board of Health. The Oath was administered by Mr. LaConte.

**Roll Call**

Answering present to the roll call were Mrs. Rowland, Mr. Srinivasan, Mrs. McCormack and Mrs. Fowler

Mr. Pitney was absent.

Health Officer Sagar Patel and Attorney Phil George filling in for Board Attorney Brian Hak were also present.

**Septic Applications**

**421 River Road – Block 63, Lot 23.01**

Jeff Houser, the design engineer, was present to represent the applicant. Mr. Houser presented the application and discussed the proposed system. He noted that the property is for sale, and said that the failed system is being replaced as part of that transaction. Mr. Houser noted the soil conditions on the property, and addressed the need for a septic mound in the disposal area. He also discussed the requirement for a deed restriction pertaining to the service agreement for the system.

Mr. LaConte read into the record comments emailed by Mr. Pitney in favor of the application. Mr. LaConte also noted the conditions of approval as written in the memorandum from the Board Engineer's office.

Mrs. Fowler asked about the ongoing monitoring requirements. Mr. LaConte said that the maintenance reports are submitted to him. Mr. Houser said that the service provider also tracks submission of required reports. Mr. LaConte said that the deed restriction will inform future owners of the requirements.

Mrs. Fowler asked about the GP24 and notification of neighbors. Mr. Houser noted that the neighbors have been informed, and said that he rarely receives any questions from neighbors.

Mrs. Rowland moved to approve the application subject to the conditions in the memorandum from the Board Engineer. Mrs. Fowler seconded the motion.

**Roll Call:** Mrs. Rowland, Aye; Mr. Srinivasan, Aye; Mrs. McCormack, Aye; Mr. Pitney, Absent; Mrs. Fowler, Aye.

**Septic Issue – 341 Green Village Road**

Mr. Patel addressed an issue with a newly installed septic tank at 341 Green Village Road. The Health Department has been informed by the installer that it will not pass the water tightness test, and they are concerned that a different contractor will be sought to certify the tank. Mr. Patel

said that the Health Department is concerned that the tank will fail sooner than the normal lifespan of a septic system. The property owner is seeking for the system to be approved as is. Mr. LaConte provided some background on the redevelopment of the property. Mr. Patel said that the Health Department will request to be present when the tests are performed. Mr. LaConte said that the Certificate of Compliance can be held until the Health Department is satisfied that the system is satisfactory. Mr. Patel noted that the manufacturer's warranty has been voided.

**Approval of Minutes**

Mrs. Rowland moved to approve the minutes of the January 4, 2024 meeting. Mrs. Fowler seconded the motion which carried unanimously.

**Reports**

Health Officer Report

Mr. Patel reported that the Public Health Nurses performed the vaccination audits for the schools, and they are satisfied with the records. He also reported that both Juniper Village and Chatham Hills Subacute are experiencing Covid outbreaks. Retail food licensing was addressed, and there is only one establishment that has not renewed yet. A complaint about water quality at the Chatham Hills Apartments was investigated, and the discoloration was due to plumbing work.

Registrar of Vital Statistics/Board of Health Secretary

As of February 29<sup>th</sup>, the only retail food license not yet renewed is Marie's Chicken Joint. The Health Department has been asked to issue summonses accordingly.

There have been 226 dog licenses and 14 cat licenses issued thus far for 2024. Regarding having an online portal, we will move forward with that once the Finance Department sets up MuniPAY.

A contract proposal for Health Department Services has been received from Union, and it is under review by the Clerk and Administrator.

Registrar income for the previous two months is as follows:

January

1 Marriage License	\$28
6 Marriage Certificates	<u>\$60</u>
Total	\$88

February

2 Marriage Licenses	<u>\$56</u>
Total	\$56

The Township Staff has welcomed Peter Travers as a new Administrative Assistant. He has been appointed by me as Deputy Registrar, and training is underway.

Mrs. McCormack asked if veterinarians help educate people about dog licensing requirements. Mr. LaConte addressed the rate of renewals, and said that they are only slightly down from this point last year. Mrs. McCormack suggested that education material be sent to vets for distribution. Mrs. Rowland said she would make an announcement about licensing at the next Township Committee meeting. Mr. LaConte said he can distribute reminders at the annual rabies clinics.

Mrs. McCormack moved to accept the reports. Mrs. Rowland seconded the motion which carried unanimously.

**Discussion**

**Ordinance BH-2024-01**

**ORDINANCE BH-2024-1  
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. Chapter BH3, Section 4, Fees for Licenses, is hereby amended so that said section shall read in its entirety, as follows:

**§BH3-4 FEES FOR LICENSES**

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

<b>Plan Review Fee</b>	\$225.00
<b>Plan Alterations Review Fee</b>	\$175.00
<b>Store/Food Establishment</b>	
Up to and including 10,000 square feet	\$ 225.00 per annum
More than 10,000 square feet	\$ 350.00 per annum
<b>Deli/Restaurant</b>	
1 to 25 seats	\$ 75.00 per annum
26 to 50 seats	\$ 150.00 per annum
More than 50 seats	\$ 250.00 per annum
<b>Long Term or Assisted Care Facility having a maximum available capacity of</b>	
1 to 25 residents	\$ 100.00 per annum
26 to 50 residents	\$ 200.00 per annum
51 to 100 residents	\$ 275.00 per annum
More that 100 residents	\$ 350.00 per annum
Vendors purveying individual servings of ice cream or other frozen confections, hot or cold drinks, candies, popcorn, fruit or other edible products	\$ 100.00 per annum
Vendors delivering dairy products to dwellings or dwelling units	\$ 25.00 per annum per vehicle
<b>Farm Stands</b>	\$ 35.00 per annum
Swim Club Snack Bars	\$ 75.00 per annum
Packaged Goods only	\$ 75.00 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	\$ 50.00 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 on February 1<sup>st</sup> of the license year, 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 routine inspections if the establishment is given a “satisfactory” rating on the basis of the initial inspection. There shall be a charge of \$ 50.00 each for a second inspection and \$100 for any further inspections required prior to the issuance of a “satisfactory” rating.

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. LaConte said that the retail food establishment license fees have not been substantively changed in over 20 years. He reviewed the recommendations for increases, and said that they are based on input from the current fees in Madison.

Mrs. Rowland recommended increasing the temporary license fee up to \$50.

Mr. Patel said that in Bloomfield the license fees are based on risk type, however they are ultimately similar to the proposed fees.

Mr. LaConte noted that the fees collected contribute toward the contract payments to the Health Department for the services they provide, and raising the fees will help reduce the amount of tax dollars that go toward that purpose. He noted that contract fees have increase overtime despite license fees not having changed.

Mr. Patel addressed the reinspection fees.

Mr. LaConte noted the difference between a catered event and an event that requires a temporary license.

The proposed reinspection fees were amended.

Mrs. McCormack moved to introduce Ordinance BH-2024-1. Mrs. Rowland seconded the motion.

**Roll Call:** Mrs. Rowland, Aye; Mr. Srinivasan, Aye; Mrs. McCormack, Aye; Mr. Pitney, Absent; Mrs. Fowler, Aye.

Public Hearing on Ordinance BH-2024-1 will be scheduled for May 2, 2024.

#### Health Education Materials

Mr. LaConte said that his understanding from the last discussion was that the Board would give him direction what materials from the Health Educator that they wanted posted. Mrs. Fowler said that she thought that a calendar would come from the Health Educator about what months would be awareness months for particular issues. Mr. Patel said that the Health Educator only has plans a few months out. Mrs. Fowler asked that at the next meeting the Board be provided with a few months worth of upcoming calendar items. Mr. Patel noted that the contract with Bloomfield ends in June.

Mrs. Fowler said that she would give Mr. LaConte direction about items that jump out at her.

Mrs. McCormack suggested that perhaps the next vendor could provide an annual calendar of awareness initiatives.

**Meeting Open to Public**

Mrs. Fowler opened the meeting to the public.  
Seeing no public comment, the public hearing was closed.

Mrs. Rowland moved to adjourn at 8:46 PM. Mrs. McCormack seconded the motion, which carried unanimously.

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Gregory J. LaConte  
Board of Health Secretary