

**MINUTES
BOARD OF HEALTH
TOWNSHIP OF CHATHAM
MAY 2, 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.

Roll Call

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

Mr. Srinivasan was absent.

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

Approval of Minutes

Mrs. Rowland moved to approve the minutes of the March 7, 2024 meeting. Mrs. Fowler seconded the motion which carried unanimously.

Reports

Health Officer Report

Mr. Patel reported that the Health Department is trying to get as many retail food establishment inspections performed as possible before the contract between the Township and Bloomfield ends.

Mr. Patel reported that there is a case of covid at Juniper Village, which is being monitored. There is a possible case of the flu at Chatham Hills Subacute Care.

Mr. Patel further reported that there are ongoing issues with the septic system at 341 Green Village Road. Stephania Mejia, REHS, provided further background on the issues with the septic system. The tank provider reported that the tank installed is not suitable for the site. The GP24 permit expires soon, and the permit application will also expire soon. The final test for the installation is the water tightness test, and the contractor said it will fail. Ms. Mejia said that the installing contractor needs to be there for the test. The Health Department wants the property owner to properly address the issue.

Mr. Pitney asked why the tank cannot be replaced with the proper tank. Ms. Mejia said the proper tank will not fit, and an alteration is necessary. She also discussed the nature of the tank's failure. Mr. Pitney expressed interest in wanting to help the applicant find a way to resolve the matter. Mr. LaConte noted that it is the responsibility of the applicant at this point to submit an application.

Mr. George advised that the Board can require the applicant to submit an amendment to their application for review by the Board and the Board's professionals. A letter will be sent to the applicant to advise them to submit an amended application. Mr. Pitney asked that statutory references be included in the letter.

An update was provided on the septic installation at 421 River Road. The final inspection from the Health Department has passed. The lot grading and zoning applications need to be closed out, and additional paperwork needs to be submitted to the Board Secretary before the certificate of continued use can be issued.

Registrar of Vital Statistics/Board of Health Secretary

As of May 1st, all retail food licenses have been renewed. Marie’s Chicken Joint is no longer in business. Initial plans for review have been submitted by the new business.

Several applications have been submitted for temporary retail food establishment licenses. Some are for the Great Swamp Music Fest scheduled for May 19th, and the rest are for the PBA’s Food Truck Fest on June 1st and the Corpus Christi Carnival on May 30-June 1.

There have been 255 dog licenses and 14 cat licenses issued thus far for 2024.

Registrar income for the previous two months is as follows:

March

3 Marriage Licenses	\$84
2 Death Certificates	\$20
3 Marriage Certificates	<u>\$30</u>
Total	\$134

April

1 Death Certificate	\$10
1 Birth Certificate	\$10
3 Marriage Licenses	<u>\$84</u>
Total	\$104

For the First Quarter of 2024, \$150 is due to the State of New Jersey for their share of Marriage License fees.

Mr. Pitney asked about the issuance of a birth certificate. Mr. LaConte said that certificates are filed in the municipality where a birth occurs. He also gave some background on requests for certified copies of vital records.

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

Public Hearing/Final Adoption of Ordinances

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:

- 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:

Plan Review Fee	\$225.00
Plan Alterations Review Fee	\$175.00

Store/Food Establishment

Up to and including 10,000 square feet \$ 225.00 per annum
More than 10,000 square feet \$ 350.00 per annum

Deli/Restaurant

1 to 25 seats \$ 75.00 per annum
26 to 50 seats \$ 150.00 per annum
More than 50 seats \$ 250.00 per annum

Long Term or Assisted Care Facility having a maximum available capacity of

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

Farm Stands \$ 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 1st 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.

Mrs. Fowler opened the Public Hearing on Ordinance BH-2024-1. Seeing no public comment, Mrs. Fowler closed the Public Hearing.

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

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

Discussion

Health Department Contract

RESOLUTION BH-2024-6
RESOLUTION OF THE BOARD OF HEALTH OF THE TOWNSHIP OF CHATHAM
IN THE COUNTY OF MORRIS, NEW JERSEY, REQUESTING EXECUTION
OF AN AGREEMENT BETWEEN THE TOWNSHIP OF CHATHAM AND
THE TOWNSHIP OF UNION (UNION COUNTY) FOR HEALTH SERVICES

WHEREAS, the Board of Health of the Township of Chatham is desirous of entering a contract with Union Township (Union County) for furnishing health services of a technical and professional nature;

WHEREAS, the Program Proposal for Health Services July 1, 2024 - December 31, 2025 meets the Board's approval,

NOW, THEREFORE, BE IT RESOLVED by the Board of Health of the Township of Chatham that said Board hereby requests that the Township Committee of the Township of Chatham enter into an agreement with the Board of Health of the Township of Union in Union County for the rendition of services to this Board and to the inhabitants of the Township of Chatham during the period of July 1, 2024 - December 31, 2025.

Mr. LaConte said that he circulated the draft contract for a shared services agreement with Union Township for health department services.

Mrs. McCormack asked about the termination clause that requires two years notice when the contract is for 18 months. Mr. LaConte said that termination during the period would more likely be by mutual consent, and he believes the contract anticipates a 5 year contract term. Mr. LaConte also said that the services to be provided by Union are substantially the same as the services provided by Bloomfield. He further noted that he has been in contact with the Health Officer in Union. It was noted that several potential health department service providers were contacted for proposals.

Mrs. Fowler moved to adopt Resolution BH-2024-6. Mr. Pitney seconded the motion.

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

Meeting Open to Public

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

Other Business

Mrs. Fowler said she has seen chatter on Facebook about leaf blowers, and asked if anyone from the public has made complaints to the Township. Mr. LaConte said that he has not been contacted recently by the public on this issue, however it will be discussed by the Township Committee at the May 7th workshop meeting. He invited the Board of Health to attend the meeting. Mrs. Rowland said that there are plans to survey residents about leaf blower noise. Mr. LaConte noted a suggestion made by a resident to have landscaping zones.

Mrs. Fowler asked if other municipalities have regulations about outdoor mosquito spraying, and if there are requirements about notifying neighbors. Mr. Patel said that he is not aware of any other town having such a regulation, and it would be difficult to enforce. He also noted that only approved materials can be used. Mr. Pitney asked about requiring contractors have MSDS sheets available. Mr. Patel said that an ordinance would be needed to require the contractors to first register with the Township. Mr. LaConte noted that sometimes the County sprays areas with standing water.

Mrs. Fowler noted that it is Mental Health Awareness Month, which would be a good thing to highlight. She said there are several events in the area related to mental health awareness, which could be promoted. Mrs. Rowland noted that there is a Mayors Walk at the Loantaka Brook Reservation on May 4th.

Mrs. Rowland moved to adjourn at 8:35 PM. Mr. Pitney seconded the motion, which carried unanimously.

Gregory J. LaConte
Board of Health Secretary