

**WARREN BOARD OF HEALTH  
MINUTES – SPECIAL MEETING  
DECEMBER 3, 2014 – 6:30 P.M.  
2<sup>ND</sup> FLOOR CONFERENCE ROOM – MUNICIPAL BUILDING  
46 MOUNTAIN BOULEVARD, WARREN**

**Call to Order:** The special meeting of the Warren Township Board of Health was called to order at 6:35 p.m. by Mr. Greg Riley, Vice-President.

**Flag Salute**

***The Opening Statement: Adequate notice of this meeting was given on November 18, 2014 by posting a copy on the Township Bulletin Board sending a copy to the Township Clerk, Echoes Sentinel and Courier News as required by the Open Public Meetings Act. We plan to adjourn no later than 10:00 P.M.***

**Roll Call:**

Dr. DeMarco-	Present	<u>Alternate #1</u>	
Mrs. Cooper-	Present	Mr. Rosenman-	Present
Mr. Morlino-	Absent	<u>Alternate #2</u>	
Dr. Sarraf-	Arrived 7:17pm	Mrs. Dealaman-	Present
Mr. Lazo-	Present		
Mr. Riley-	Present	Mr. Plager-	Arrived 6:42pm

**Privilege of the Floor:       None**

**Approval of Minutes:       September 2014/ November 2014**  
**Motion was made by Mr. Rosenman, second by Mrs. Dealaman to approve the September 2014 minutes as presented.**

**Voice Vote:**

**In Favor:**       Mr. Lazo, Mr. Riley, Mr. Rosenman, Mrs. Dealaman, Mr. Plager  
**Opposed:**       None  
**Abstentions:** Dr. DeMarco, Mrs. Cooper

**Motion was made by Mr. Rosenman, second by Mr. Lazo to approve the November 2014 minutes as presented.**

**Voice Vote:**

**In Favor:**       Mr. Lazo, Mr. Riley, Mr. Rosenman  
**Opposed:**       None  
**Abstentions:** Dr. DeMarco, Mrs. Cooper, Mrs. Dealaman, Mr. Plager

**Correspondence:               Please See Correspondence File**

**Warren Township Board of Health Minutes**  
**December 3, 2014**  
**Page 2**

**Middle-Brook Regional Health Commission Report**

Mr. Riley stated that there was discussion on the residential pool safety program. Since the program started the Commission has performed 2 inspections. They hope the number increases for 2015 as more people become aware of the program. Mr. Sumner also submitted the Pool Safety program to NACCHO for Model Practice recognition.

Mr. Riley reported that CVS discontinued tobacco sale and the commission had a discussion to create a program to encourage other pharmacy's to do the same. Mr. Sumner polled the pharmacies in the Commission and currently 2 out of 3 independent sites do not sell tobacco. Walgreens, a national chain, also sells but their decision would have to come from their Corporate Headquarters. Therefore, the Commission has decided to defer a program at this time.

Mr. Riley stated that the Commission did not receive support from the local Boards endorsing a resolution from the Commission addressing the red light camera program. Thus, the Commission sent a letter to the local towns describing the issue and the Commission's concerns. The State program is scheduled to terminate on December 16 unless extended by the legislature.

In 2014 the Commission had 10-12 animals were sent for rabies testing, two were positive. There were no human cases.

There was one flu clinic held on October 1 at Our Lady of the Mount. Attendance was limited because most get their flu shots elsewhere.

The Commission has acquired a \$15,000 grant from NACCHO to fund quality improvement activities to move the Commission further toward accreditation.

The Commission had a discussion about changing their website provider, but in the end decided to stay with the current company Network Solutions.

The Annual report will be done biannually and will be available on line.

A special meeting was held on November 5 to discuss the Commissions activities with Ebola and EnterovirusD68. Mr. Sumner's presentation, including materials from the State Health Department, was very informative.

The Commission adopted a budget for 2015 that included a 2% wage increase for its employees. Warren Township's contribution will increase 1.8% from last year.

**Warren Township Board of Health Minutes  
December 3, 2014  
Page 3**

**New Business:**

**Case # 1 – December 3, 2014**

123 Old Stirling Road

Block 85, lot 15.03

Application: Major Subdivision

Applicant: Stirling Pond, LLC

Owner: Stirling Pond, LLC

Attorney: Joseph E. Murray, Esq.

Engineer: Craig W. Stires, PE

Applicant proposes to subdivide this 4.881-acre lot into three lots of 1.500 acres each. The existing lot is currently served by private well and on-site sewage disposal system but the new lots are proposed to be served by public water and sewer. Warren Township Sewerage Authority has granted preliminary and final approval by way of Resolution No. 11-106. A will serve letter from New Jersey American Water has been requested, but not yet received. In addition, the applicant proposes to fill and remove an existing pond on the site and has received a NJDEP Letter of Interpretation for the wetlands and a wetlands permit for the proposed work.

Mr. Craig W. Stires, PE, Stires Associates, P.A, and Joseph Murray, Esq. Schiller & Pittenger were present and sworn in to testify.

Mr. Murray stated that this application has been before the Planning Board and they voted in favor of the application with two major conditions. The resolution has not been passed yet; it is still in draft form. The first condition is to establish the road as a private road. That condition is being challenged by the applicant. Mr. Murray stated that he sent a memo to that effect today to the Planning Board Attorney, with his opinion that the Planning Board has no jurisdiction to establish a private road. The downside to a private road would be the imposition to the three homeowners to share all maintenance responsibility with regard to the roadway forever. The second condition, that is not being challenged, is the pond must be drained. An expert witness at the Planning Board hearing described the draining process. The potential for underground water being the source of the pond will be investigated but it is believed by the expert that the pond is a “sky pond.” If that turns out to be an incorrect opinion, there is going to be an association formed to oversee the maintenance of the pond if the water reappears. Mr. Murray stated that he feels the pond does not represent a health concern since it has been there for many years.

Mr. Stires testified that this property currently has two dwelling that are both rentals. There are also a few sheds, an old foundation, and a pond on the property. Mr. Stires testified that he has

**Warren Township Board of Health Minutes**  
**December 3, 2014**  
**Page 4**

**Case # 1 – December 3, 2014 continued:**

spoken to the previous owner who had owned the property for over 40 years and prior to that it was owned by a farmer. He was trying to find the history of the pond. Mr. Stires testified that what he found out was the pond was a farm pond. The pond was used to feed the animals on the farm. The previous owner stated that when the pond volume got low, he would run a hose to fill the pond. Mr. Stires also testified that the previous owner told him that the pond would leak so he created a clay trench to stop the leaking of the water.

Mr. Stires testified that he has a letter of interpretation from the State and a permit to fill the pond. Mr. Stires testified that he believes if the pond is drained there will be no issues. There would be a lot of organic material left on the bottom. That material would be given a chance to dry before it is removed to give the bottom of the pond a stable solid bottom. The pond would then be filled. Mr. Stires testified the planning Board was concerned about a spring being found that feeds the pond. If this is true Mr. Stires testified their answer would be to install an 18 inch layer of stone, filter fabric with a pipe in the layer of stone to drain the water from the old pond to the new detention basin.

Mr. Stires testified that once the pond is gone, this property is a conforming 3 lot subdivision, with public water and sewer.

Mr. Stires marked into evidence (exhibit 1A), the will serve letter dated 11/3/2014 from New Jersey American Water for water service.

Mr. Stires testified that the existing wells, as well as the septic, will be abandoned in accordance with local and State regulations.

Mr. Plager asked how deep the pond is. Mr. Stires testified 11 feet deep. Mr. Plager doesn't understand how a sky pond could be 11 feet deep. Mr. Plager asked if there was a timeline on draining the pond. Mr. Stires testified that draining the pond would be done in conjunction with the building of the detention basin.

Mr. Rosenman asked if the quality of the water would be tested when the pond is drained as part of the DEP permit? Mr. Stires testified he is not sure.

Mr. Rosenman wanted to know how they determined this pond is not spring fed. Mr. Stires testified that a Geotechnical Engineer visited the site and walked around and saw no physical evidence of a spring. There was no saturated ground in or around the pond.

Mr. Plager asked if there was a concern of water in the basements when the pond is filled. Mr. Stires testified that he has no concern about the removal of the pond and water being redirected into the new dwellings basements. All the basements are also going to be above the pond level.

**Warren Township Board of Health Minutes  
December 3, 2014  
Page 5**

**Case # 1 – December 3, 2014 continued:**

Mr. Riley asked if a new dwelling is planned to be built on top of the filled in pond. Mr. Stires testified no.

Mr. Stires testified that the LOI for the site is just for the pond. There are no other wetlands. Mr. Stires also testified that it is his belief that this property does not need a conservation easement. The DEP agreed.

Mr. Rosenman is concerned about the sediments in the bottom of the pond. Mr. Stires testified ponds like this are typically clean. Mrs. Cooper asked where the “muck” is being taken once it is removed from the pond. Mr. Stires testified that he believes once it dries it will be used as top soil material.

Mr. Sumner stated that to address the quality of the “muck,” he would recommend a condition put in our resolution that states as the “muck” is being exposed and excavated, if there is any indication of contamination by visual, smell, or sheen, that an investigation be initiated.

Mr. Plager asked if the water could be tested prior to draining. Mr. Murray stated to protect his client, they would agree to Mr. Plager’s suggestion.

Mr. Murray stated that his client would agree to both testing of the water and the “muck” in the pond. Mr. Sumner stated he would recommend testing the “muck” for compliance with residential soil standards. He is also concerned about the soils on the property meeting the residential standards for herbicides and pesticide since the property was once a farm.

**Motion was made by Dr. Sarraf second by Mrs. Cooper to approve the application subject to the following conditions: First, the water and surrounding soils must be tested before the water is discharged. Second, the sediment at the bottom of the pond, be tested in place after the pond is drained. All results will be submitted to the Board of Health before a resolution will be adopted.**

**Roll Call:**

Dr. DeMarco-	Yes
Mrs. Cooper-	Yes
Dr. Sarraf-	Yes
Mr. Lazo-	Yes
Mr. Riley-	Yes- noting since the testimony indicated no evidence of any prior environmental problem at this property, he feels a lot of this is unnecessary.
Mr. Rosenman-	Yes
Ms. Dealaman-	Yes
Mr. Plager-	Yes

**Warren Township Board of Health Minutes  
December 3, 2014  
Page 6**

**Mr. Lazo left the meeting at 7:54pm**

**Old Business:  
Resolution 2014-13**

72 Mountain Avenue

Block 202, lot 2

Application: Minor Subdivision

Applicant: Jonathan Eng

Owner: Jonathan Eng

Attorney: Joseph E. Murray, Esq.

Engineer: Kevin G. Page, PE

**Motion was made by Mr. Roseman second by Dr. Sarraf to approve Resolution 2014-13 as read.**

**Roll Call:**

Dr. DeMarco- Abstain

Mrs. Cooper- Abstain

Dr. Sarraf- Yes

Mr. Riley- Yes

Mr. Rosenman- Yes

Ms. Dealaman- Yes

Mr. Plager- Yes

**Resolution 2014-14**

Washington Valley Road

Block 75, lot 3.02

Application: Site Plan & Variance

Applicant: Rootopedia, LLC

Owner: Rootopedia, LLC

Attorney: Joseph Murray, Esq.

Engineer: Kevin G. Page, PE

**Motion was made by Dr. Sarraf second by Mrs. Dealaman to approve Resolution 2014-14 as read.**

**Roll Call:**

Dr. DeMarco- Abstain

Mrs. Cooper- Abstain

Dr. Sarraf- Yes

Mr. Riley- Yes

Mr. Rosenman- Yes

Ms. Dealaman- Yes

Mr. Plager- Yes

**Warren Township Board of Health Minutes  
December 3, 2014  
Page 7**

**Dr. Sarraf left the meeting at 8:08pm**

**Reports of Employees/Health Officer Report**

Mr. Sumner proposed to the Commission the adoption of a State model ordinance for isolation and quarantine. Quarantine separates the exposed, and isolation separates the sick. The Health Officer would control quarantine and isolation and the ordinance will spell out the details of the process and the authority to take action..

**Financial Reports:**

**Treasurer's Report: Receipts – May 2014**

Receipts for Registrar:	\$334.00
Health	\$655.25
Application Fees	\$275.00
Septic and Well	<u>\$1075.00</u>
<b>Total Health</b>	<b>\$2,339.25</b>
Dogs	\$301.00
Cats	<u>\$43.00</u>
<b>Total Animal</b>	<b>\$344.00</b>
<b>Grand Total:</b>	<b><u>\$2,683.25</u></b>

**Disbursements: May 2014**

<b>Health:</b>	
<b>Total Health Disbursement May 2014</b>	<b>\$ 0.00</b>

**Animal Control:**

State Dog License Fee- May	<u>\$38.40</u>
<b>Total Animal Control Disbursements</b>	<b>\$38.40</b>

**Total Disbursements – May 2014** **\$38.40**

**Treasurer's Report: Receipts – June 2014**

Receipts for Registrar:	\$566.00
Health	\$885.55
Application Fees	\$0.00
Septic and Well	<u>\$830.00</u>
<b>Total Health</b>	<b>\$2,281.55</b>
Dogs	\$202.00
Cats	<u>\$24.00</u>
<b>Total Animal</b>	<b>\$226.00</b>
<b>Grand Total:</b>	<b><u>\$2,507.55</u></b>

Warren Township Board of Health Minutes  
 December 3, 2014  
 Page 8

<b>Disbursements: June 2014</b>	
<b>Health:</b>	
<b>Total Health Disbursement June 2014</b>	<b>\$0.00</b>
<b>Animal Control:</b>	
State Dog License Fee- June	<u>\$21.60</u>
<b>Total Animal Control Disbursements</b>	<b>\$21.60</b>
<b>Total Disbursements – June 2014</b>	<b><u>\$21.60</u></b>

<b>Treasurer’s Report: Receipts – July 2014</b>	
Receipts for Registrar:	\$574.00
Health	\$551.70
Application Fees	\$525.00
Septic and Well	<u>\$400.00</u>
<b>Total Health</b>	<b>\$2,050.70</b>
Dogs	\$166.00
Cats	<u>\$0.00</u>
<b>Total Animal</b>	<b>\$166.00</b>
<b>Grand Total:</b>	<b><u>\$2,216.70</u></b>

<b>Disbursements: July 2014</b>	
<b>Health:</b>	
2014 2 <sup>nd</sup> Quarter Marriage License Fee (25 Licenses @ \$25.00 each))	\$625.00
QPA Exam	\$150.00
Donna Ostman- Two seminars Strategic Planning (July 15 & Aug 5)	\$50.00
Registrar Meeting- July 18, 2014- Barbara Streker	<u>\$15.00</u>
<b>Total Health Disbursement July 2014</b>	<b>\$ 840.00</b>
<b>Animal Control:</b>	
State Dog License Fee- July	<u>\$ 12.00</u>
<b>Total Animal Control Disbursements</b>	<b>\$12.00</b>
<b>Total Disbursements – July 2014</b>	<b><u>\$852.00</u></b>

<b>Treasurer’s Report: Receipts – August 2014</b>	
Receipts for Registrar:	\$742.00
Health	\$310.15
Application Fees	\$600.00
Septic and Well	<u>\$605.00</u>
<b>Total Health</b>	<b>\$2,257.15</b>
Dogs	\$146.00
Cats	<u>\$12.00</u>
<b>Total Animal</b>	<b>\$158.00</b>

Warren Township Board of Health Minutes  
 December 3, 2014  
 Page 9

<b>Grand Total:</b>	<b><u>\$2,415.15</u></b>
<b>Disbursements: August 2014</b>	
<b>Health:</b>	
<b>Total Health Disbursement August 2014</b>	<b>\$0.00</b>
<b>Animal Control:</b>	
State Dog License Fee- August	<u>\$7.20</u>
<b>Total Animal Control Disbursements</b>	<b><u>\$7.20</u></b>
<b>Total Disbursements – August 2014</b>	<b><u>\$7.20</u></b>
<b>Treasurer’s Report: Receipts – September 2014</b>	
Receipts for Registrar:	\$774.00
Health	\$275.60
Application Fees	\$725.00
Septic and Well	<u>\$720.00</u>
<b>Total Health</b>	<b>\$2,494.60</b>
Dogs	\$363.00
Cats	<u>\$7.00</u>
<b>Total Animal</b>	<b><u>\$370.00</u></b>
<b>Grand Total:</b>	<b><u>\$2,864.60</u></b>
<b>Disbursements: September 2014</b>	
<b>Health:</b>	
<b>Total Health Disbursement September 2014</b>	<b>\$0.00</b>
<b>Animal Control:</b>	
Animal 2015 Tags	\$159.69
State Dog License Fee- September	<u>\$21.60</u>
<b>Total Animal Control Disbursements</b>	<b><u>\$181.29</u></b>
<b>Total Disbursements – September 2014</b>	<b><u>\$181.29</u></b>
<b>Treasurer’s Report: Receipts – October 2014</b>	
Receipts for Registrar:	\$676.00
Health	\$1.40
Application Fees	\$755.00
Septic and Well	<u>\$750.00</u>
<b>Total Health</b>	<b><u>\$2,182.40</u></b>

**Warren Township Board of Health Minutes  
December 3, 2014  
Page 10**

Dogs	\$981.00
Cats	<u>\$68.00</u>
<b>Total Animal</b>	<b>\$1,049.00</b>
 <b>Grand Total:</b>	 <b><u>\$3,231.40</u></b>

**Disbursements: October 2014**

<b>Health:</b>	
3 <sup>rd</sup> Quarter Marriage License (25 @ \$25)	\$625.00
<b>Total Health Disbursement October 2014</b>	<b><u>\$625.00</u></b>

**Animal Control:**

State Dog License Fee- October	<u>\$3.60</u>
<b>Total Animal Control Disbursements</b>	<b><u>\$3.60</u></b>

**Total Disbursements – October 2014** **\$628.60**

**Treasurer's Report: Receipts – November 2014**

Receipts for Registrar:	\$464.00
Health	\$2.00
Application Fees	\$700.00
Septic and Well	<u>\$311.00</u>
<b>Total Health</b>	<b><u>\$1,477.00</u></b>

Dogs	\$621.00
Cats	<u>\$28.00</u>
<b>Total Animal</b>	<b><u>\$649.00</u></b>

**Grand Total:** **\$2,126.00**

**Disbursements: November 2014**

<b>Health:</b>	
Cassette Tapes- BOH Meetings	\$29.80
Wall Calendar - Barbara	\$11.38
Dayminder Calendar- Barbara	\$11.90
Reimb Donna Ostman- REHS License	\$50.00
Wall Calendar- Donna	<u>\$22.64</u>
<b>Total Health Disbursement October 2014</b>	<b><u>\$125.72</u></b>

**Animal Control:**

State Dog License Fee- November	<u>\$1.20</u>
<b>Total Animal Control Disbursements</b>	<b><u>\$1.20</u></b>

**Total Disbursements – November 2014** **\$126.92**

**Warren Township Board of Health Minutes  
December 3, 2014  
Page 11**

**Motion was made by Mrs. Cooper, second by Mr. Plager to approve the Financial Report as read.**

**Voice Vote:**

**In Favor:** Dr. DeMarco, Mrs. Cooper, Mr. Riley, Mr. Rosenman, Mrs. Dealaman, Mr. Plager

**Opposed:** None

**Abstentions:** None

**Adjournment:**

**Motion was made by Mr. Rosenman, second by Mrs. Cooper to adjourn the meeting at 8:25pm. Motion carried by unanimous voice vote.**

**Respectfully submitted,**

**Barbara Streker, Clerk, Warren  
Township Board of Health**