

**WARREN BOARD OF HEALTH
MINUTES – Reorganization Meeting
February 11, 2015 – 7:00 P.M.
2ND FLOOR CONFERENCE ROOM – MUNICIPAL BUILDING
46 MOUNTAIN BOULEVARD, WARREN**

Call to Order: The regular public meeting of the Warren Township Board of Health was called to order at 7:03 p.m. by Barbara Streker, Clerk/Registrar

Flag Salute

The Opening Statement: Adequate notice of this meeting was given on January 20, 2015 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-	Present	Mrs. Dealaman-	Present
Mr. Lazo-	Present (arrived 7:14pm)		
Mr. Riley-	Present	Mr. Plager-	Present

Clerk informs the Board of new appointments:

The Township Committee concurs and recommends the following appointments to the Board of Health:

Mohammad Sarraf– Appointment Expiration Date – December 31, 2017
Gregory Riley – Appointment Expiration Date – December 31, 2017

Alternate #1-

Mark Rosenman- Appointment Expiration Date – December 31, 2016

Mayor's Appointment:

George Lazo – Appointment Expiration Date – December 31, 2015

Board Counsel administered oaths to Dr. Sarraf, Mr. Riley and Mr. Rosenman

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Order of Business for Organizational Meeting:

1. Election of Officers
2. Resolution concerning Authorizing Use of Consent Agenda at Warren Township Board of Health Meetings
3. Consent Agenda
4. Schedule of Meetings
5. Resolution concerning Appointments for Middle-Brook Regional Health Commission Representatives and Alternates.
6. Resolution concerning Rules of Order
7. Resolutions for Approved Applications from Prior Cases
8. New Business
9. Old Business
10. Privilege of the Floor
11. Minutes
12. Correspondence
13. Middle-Brook Regional Health Commissions Report
14. Reports of Employees
15. Financial Reports
16. Adjournment

Motion was made by Mr. Plager, seconded by Mr. Sarraf to adopt the Order of Business for the Reorganization Meeting as read:

Voice Vote:

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

Opposed: None

Abstentions: None

Election of Officers

Election of President

Nomination was made by Dr. Sarraf, seconded by Mr. Rosenman to elect Mr. Plager as President of the Warren Township Board of Health.

There being no further nominations from the floor, motion was made by Dr. Sarraf second by Mrs. Cooper to close nominations:

Voice Vote:

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

Opposed: None

Abstentions: None

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Election of Vice-President:

Nomination was made by Mr. Plager, seconded by Mrs. Dealaman to elect Mrs. Cooper as Vice-President of the Warren Township Board of Health.

There being no further nominations from the floor, motion was made by Mr. Rosenman second by Dr. Sarraf to close nominations:

Voice Vote:

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

Opposed: None

Abstentions: None

Election of Secretary/Treasurer:

Nomination was made by Mr. Plager, seconded by Mrs. Cooper to elect Dr. Sarraf as Secretary/Treasurer of the Warren Township Board of Health.

There being no further nominations from the floor, motion was made by Mr. Plager second by Mrs. Cooper to close nominations:

Voice Vote:

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

Opposed: None

Abstentions: None

Resolution 2015-1 Authorizing Use of Consent Agenda at Warren Township Board of Health Meetings

Motion was made by Dr. Sarraf, seconded by Mr. Plager to adopt Resolution 2015-1 as read:

Roll Call:

Dr. DeMarco-	Yes
Mrs. Cooper-	Yes
Dr. Sarraf-	Yes
Mr. Riley-	Yes
Mr. Rosenman-	Yes
Mrs. Dealaman-	Yes
Mr. Plager-	Yes

Consent Agenda

Resolutions No. 2015-2 through 2015-6 were submitted to the Board of Health for review and may be adopted by one motion. These resolutions are listed on the agenda for review and a complete copy made available in the Warren Township Board of Health.

Resolution 2015-2 – Health Officer

Resolution 2015-3 - Appointment of Employees

Resolution 2015-4- Award of Contract Board of Health Attorney

Resolution 2015-5 – Business and Correspondence

Resolution 2015-6 – Authorizing Agreement with Middle-Brook Regional Health Commission for Public Health Services.

Motion was made by Mrs. Cooper, seconded by Dr. Sarraf to adopt Resolution 2015-2 through 2015-6 with the exclusion of Resolution 2015-4.

Mr. Riley requested that Resolution 2015-4 be pulled from the consent agenda and be voted on separately. He expressed his concern over voting for a resolution for a contract that the Board does not review.

Roll Call:

Dr. DeMarco-	Yes
Mrs. Cooper-	Yes
Dr. Sarraf-	Yes
Mr. Riley-	Yes
Mr. Rosenman-	Yes
Mrs. Dealaman-	Yes
Mr. Plager-	Yes

Motion was made by Mr. Plager, second by Mrs. Cooper to adopt Resolution 2015-4 as presented.

Roll Call:

Dr. DeMarco-	Yes
Mrs. Cooper-	Yes
Dr. Sarraf-	Yes
Mr. Riley-	Abstain
Mr. Rosenman-	Yes
Mrs. Dealaman-	Yes
Mr. Plager-	Yes

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Board Counsel administered the oath to Kevin Sumner, Health Officer

Mr. Lazo arrived at 7:15pm

Resolution 2015-7 – Schedule of Meetings

Motion was made by Mrs. Cooper second by Dr. Sarraf to approve Resolution 2015-7 as amended.

Since November 11, 2015 is a holiday, the Board selected October 28, 2015 to hold the meeting.

Roll Call:

Dr. DeMarco-	Yes
Mrs. Cooper-	Yes
Dr. Sarraf-	Yes
Mr. Lazo-	Yes
Mr. Riley-	Yes
Mr. Rosenman-	Yes
Mrs. Dealaman-	Yes
Mr. Plager-	Yes

Resolution 2015-8 – Appointments of Representatives and Alternates to Middle-Brook Regional Health Commission.

Nomination was made by Mrs. Cooper, seconded by Dr. Sarraf to appoint Mr. Riley as a representative #1, Mrs. Dealaman as representative #2, and Mr. Plager as an alternate to the Middle Brook Regional Health Commission for 2015.

Roll Call:

Dr. DeMarco-	Yes
Mrs. Cooper-	Yes
Dr. Sarraf-	Yes
Mr. Lazo-	Yes
Mr. Riley-	Yes
Mr. Rosenman-	Yes
Mrs. Dealaman-	Yes
Mr. Plager-	Yes

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Resolution 2015-9 Rules of Order

Motion was made by Mr. Riley, second by Mr. Plager to adopt Resolution 2015-9 as distributed.

Roll Call:

Dr. DeMarco-	Yes
Mrs. Cooper-	Yes
Dr. Sarraf-	Yes
Mr. Lazo-	Yes
Mr. Riley-	Yes
Mr. Rosenman-	Yes
Mrs. Dealaman-	Yes
Mr. Plager-	Yes

New Business:

Case # 1 – February 11, 2015

13 Dead River Road

Block 15, lot 7.03

Application: Exemption from Warren Ordinance 88-1A

Owner/Applicant: Mr. Michael Paone

Engineer: Biggs Engineering Associates, P.A.

Applicant requests exemption from the requirement to connect to the sewer system per Section 10.1 (c) of Warren Board of Health Ordinance 88-1A. Section 10.1 (c) states the Board shall by formal resolution grant an exemption after written application, hearing, and showing of good cause from the requirement when a pumping device would be necessary for the dwelling to be served by the public sewer.

In the case of the above referenced property, the sewer line installed by the Sewerage Authority is a forced main thus requiring a pumping device. In addition, the septic system servicing the site was installed in September 2012. The applicant has provided evidence the system is working properly and that the tank has been pumped.

Mr. Paone, Owner, was present and sworn in to testify.

Mr. Plager asked how long the exemption would be effective for. Mr. Sumner stated that the exemption would be in place until there is a problem with the septic system.

Mr. Plager asked Mr. Paone to provide an explanation as to why he does not want to connect to the sewer. Mr. Paone testified the cost is prohibitive. In addition to the cost, he has a barn in the rear of his property that has bathrooms that pumps into the septic. The sewer line was just put in the street 6 months ago. His property is also below grade and would need to pump up to the sewer.

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Motion was made by Mr. Riley second by Mrs. Cooper to approve the application as presented.

Roll Call:

Dr. DeMarco-	Yes
Mrs. Cooper-	Yes
Dr. Sarraf-	Yes
Mr. Lazo-	Yes
Mr. Riley-	Yes
Mr. Rosenman-	Yes
Mrs. Dealaman-	Yes
Mr. Plager-	Yes

Case # 2 – February 11, 2015

94 Mt. Bethel Road

Block 87, lot 1.01

Application: Site Plan

Owner/Applicant: Green Forest Associates, LLC

Attorney: Erwin C. Schnitzer, Esq.

Engineer: Fisk Associates, PE

Applicant proposes to expand an existing one-story structure currently serviced by public water and on-site sewage disposal system to be used as a professional dental office. The proposal is to service the expanded structure with public water and public sewer as approved by Resolution 14-116 of the Warren Township Sewerage Authority. Application is before the Board of Adjustment for a use variance and other variances. The property was previously approved and used for a dental office.

Mr. Bob Gazzale, PE, PLS, Fisk Associates, Dr. Oleg Drut, Green Forest Associates, And Mr. Erwin Schnitzer, Esq., were present. Mr. Gazzale and Dr. Drut were sworn in to testify.

Mr. Gazzale testified that to the owner's knowledge, there are no wells on the property. The existing septic on the property will be abandoned as required by law.

Mr. Gazzale testified that there is no proposed place yet for a hose bib, but the dwelling is within 35 feet of the proposed dumpster location, so a hose bib could be at that location.

Mr. Gazzale testified the site is in a residential zone. There is a small wooded area behind the parking lot that will remain. He submitted to the Board the DEP IMap, which was marked into evidence as "Exhibit Case 2-A", showing a small area of wetlands more than 150 feet from the site. There are also no environmental conditions of concern on the site.

Dr. Drut testified that he plans to have one panoramic x-ray machine at the site with a low volume of radiation.

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Motion was made by Dr. Sarraf second by Mrs. Dealaman to approve the application as presented.

Roll Call:

Dr. DeMarco-	Yes
Mrs. Cooper-	Yes
Dr. Sarraf-	Yes
Mr. Lazo-	Yes
Mr. Riley-	Yes
Mr. Rosenman-	Yes
Mrs. Dealaman-	Yes
Mr. Plager-	Yes

Case #3 – February 11, 2015

128 Mount Horeb Road

Block 56, lot 2.06

Application: Variance from Warren Septic Ordinance

Owner/Applicant: James Madalone Pension Plan c/o Mr. James Madalone

Engineer: Stephen E. Parker, PE

Attorney: Mr. David M. Hutt

Applicant proposes to construct a new on-site sewage disposal system to provide service to a new 5 bedroom residence. The property is also proposed to be served by public water. The proposed on-site sewage disposal system complies with state law but requires variances from Warren Township Board of Health ordinances as follows:

- Warren Ordinance 7:9A-6.1.1(3) requiring permeability at the level of infiltration to be between 15 inches per hour and 1.71 inches per hour.
- Warren Ordinances 7:9A-6.1.1(5) requiring the system be designed based on the slowest permeability rate of the native soil

It was noted that sewers are available, but easements are required for access. Applicant will demonstrate attempts to obtain easements have failed. Furthermore, based on NJAC 7:9A-1.6 (e) 1 sewers are considered unavailable when easements across an adjoining property are required for access.

Mr. Stephen Parker, PE, Parker Engineering and Mr. James Madalone Owner were present and sworn in to testify.

Mr. Sumner advised the Board that the system design has been amended since the original application was submitted and the second variance is no longer needed.

Mr. Plager stated that the septic systems on Hill Hollow failed and the residences worked with the Town to have a sewerage collector system installed and a pumping system from the base of the cul-de-sac into the sewer system. Can this property get access to the collector system so that this property can be on the sewers?

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Case #3 – February 11, 2015 (continued)

Mr. Parker testified that there is no access to the sewers from this property. Hill Hollow is located behind the property. There is one lot between the property and a road. The owner of the property will not grant an easement to connect.

Mr. Madalone testified that he even went to the Township Attorney's office for assistance with requiring the property owner to let him connect, many options were looked at, but the property was still not able to connect.

Mr. Madalone testified he also approached the other three adjoining properties and got two rejections. The third property allowed him to use the current easement on their property, but he would still need to pass through another neighbor's property to connect who will not grant access.

Mr. Madalone presented to the Board copies of the letters he sent to the neighbors. Those letters were marked into evidence as "Exhibit Case 3A"

Mr. Parker testified that the system will be a split system of select fill for both grey and black water. A reserve area has also been designed.

Mr. Parker testified that there are wells on the property and that they will be abandoned and sealed as required by law. The property will be connected to public water. Mr. Parker also testified that the current septic will be abandoned and filled in accordance with law.

Mr. Parker testified that there are no environmental concerns associated with the structures on the property. There are also no wetlands on the property.

The Board urged Mr. Madalone to not give up trying to connect to sewer.

Motion was made by Mrs. Cooper second by Mr. Plager to approve the application as presented.

Roll Call:

Dr. DeMarco-	Yes
Mrs. Cooper-	Yes
Dr. Sarraf-	Yes
Mr. Lazo-	Yes
Mr. Riley-	Yes, septic system is clearly an improvement over the existing system that is on the property. It meets almost all the requirements of our ordinance including that fact that it is a split system with a reserve field.
Mr. Rosenman-	Yes
Mrs. Dealaman-	Yes
Mr. Plager-	Yes

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Old Business: None

Privilege of the Floor: None

Approval of Minutes: December 3, 2014

Motion was made by Mr. Riley second by Mrs. Cooper to approve the December 3, 2014 minutes as amended.

Roll Call:

Dr. DeMarco-	Yes
Mrs. Cooper-	Yes
Dr. Sarraf-	Yes
Mr. Lazo-	Yes
Mr. Riley-	Yes
Mr. Rosenman-	Yes
Mrs. Dealaman-	Yes
Mr. Plager-	Yes

Correspondence: Please See Correspondence File

Middle-Brook Regional Health Commission Report

Mr. Riley has nothing to report since there had not been a new meeting.

Reports of Employees/Health Officer Report

Mr. Sumner advised the Board that the Commission is aware of the current Measles outbreak and distributed a press release on the subject.

The Board discussed withholding vaccinations for children by parents. The Board felt that vaccinations are safe and should be given to all children.

The Board deferred the Financial Report for December 2014 and January 2015 to the next meeting

Adjournment:

Motion was made by Mr. Rosenman second by Mrs. Cooper to adjourn the meeting at 8:27pm. Motion carried by unanimous voice vote.

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