HARDING TOWNSHIP BOARD OF HEALTH THURSDAY, JANUARY 9, 2020

Reorganization Meeting Minutes

Secretary, Lisa Sharp called the reorganization meeting of the Harding Township Board of Health to order on January 9, 2020, at 7:30 p.m., and announced the meeting was called in accordance with the laws of the State of New Jersey.

Secretary Sharp reported that on January 6, 2020, the Township Committee of the Township of Harding held their reorganization meeting and at that time they appointed to the Board of Health; Dr. Joseph Cervone as a Regular Member; Mr. Nicolas Platt as a Regular Member, and Mr. George Boyan as Alternate #2.

Secretary Sharp administered the Oaths of Office to Dr. Cervone, Mr. Platt, and Mr. Boyan.

ROLL CALL:

Secretary Sharp called the following Board of Health members in attendance.

BOH Attendance: Mr. Boyan, Dr. Joseph Cervone, Mrs. Nanette DiTosto, Dr. Stephen Kao,

Dr. Nicole Lacz, and Mrs. Christina McKittrick

Health Department Attendance: Mrs. Lisa Sharp and Mr. George Byrnes

County of Morris Attendance: Miss Casey Brady, REHS

Public:

ELECTION OF CHAIRMAN AND VICE CHAIRMAN:

Secretary Sharp opened the floor to accept nominations for the office of Chairman of the Board of Health for 2020. Upon a motion made by Mr. Platt, seconded by Mrs. DiTosto, nominations for the Chairman of the Board of Health are now open. Mr. Platt nominated Dr. Cervone for the position of Chairman, Mrs. DiTosto seconded the nomination. Secretary Sharp asked if there were any further nominations for Chairman. Secretary Sharp asked for a motion to close the nominations for Chairman of the Board of Health. Mrs. McKittrick made a motion to close the nomination and Mrs. DiTosto seconded the nomination.

Secretary Sharp asked for a motion to accept Dr. Cervone as Chairman of the Board of Health, upon a motion made by Mrs. DiTosto, seconded by Mrs. McKittrick, and with all members in favor, none opposed, Dr. Cervone was appointed Chairman of the Board of Health for 2020. Secretary Sharp congratulated Dr. Cervone and turned the meeting over to Chairman, Dr. Cervone.

Dr. Cervone opened the floor to accept nominations for the office of Vice Chair of the Board of Health for 2020. Upon a motion made by Mr. Platt, seconded by Dr. Cervone, nominations for the Vice Chair of the Board of Health are now open. Mr. Platt nominated Mrs. McKittrick for the position of Vice Chair, Dr. Lacz seconded the nomination. Dr. Cervone asked if there were any further nominations for Vice Chair. With no further nominations, Dr. Cervone closed the nominations for Vice Chair.

Board of Health Reorganization Meeting Minutes January 9, 2020

Dr. Cervone asked for a motion to accept Mrs. McKittrick as Vice Chairwoman of the Board of Health. Upon a motion made by Mr. Platt, seconded by Dr. Cervone, and with all members in favor, none opposed, Mrs. McKittrick was appointed Vice Chairwoman of the Board of Health for 2020. Dr. Cervone congratulated Mrs. McKittrick.

REGULAR MEETING MINUTES

<u>BOH WAIVER – KEVIN & KRISTIN PETERSON, BLOCK 49, LOT 13, 45 GLEN ALPIN ROAD – WAIVER REQUEST TO KEEP THEIR EXISTING WELL:</u>

Mr. Keith Peterson and Mr. Mooney of Andover Pump explained their waiver request to the Board. There is an active water well that exists on their property with a casing depth of only 47 feet instead of the required 50 feet. The well has been inspected and upgraded and Mr. Dave Fantina, Engineer is in support of the existing well. Mr. Mooney is here this evening to ask the Board for a waiver to not decommission the well to allow the well to remain in its active state. Mr. Peterson read a prepared statement to the Board of Health. A copy is appended to these minutes.

Mr. Boyan asked what the setbacks are to their neighbors. Mr. Mooney explained that the well has 47 feet of casing, is 200 feet from the septic and 100 feet from their neighbor. The water analysis has been complete and was sent to the Health Department today. The only item that was not satisfactory was the test for coliform. The well will be chlorinated and another test will be conducted. A discussion ensued.

Dr. Cervone asked if there were any further comments or questions. Upon a motion made by Mr. Platt, seconded by Mrs. DiTosto, and with a vote of all ayes, none opposed, the Board of Health approved the waiver request to keep the existing well at 45 Glen Alpin Road.

<u>RESOLUTION BOH #01-2020 SCHEDULING OF MEETING DATES FOR THE NEXT</u> TWELVE MONTHS:

Secretary Sharp mentioned that the Board of Health meetings are scheduled for the second Thursday of every month at 7:30 p.m. Upon a motion duly made by Mrs. DiTosto, seconded by Mr. Platt, and with a vote of unanimous ayes, none opposed, Resolution BOH #01-2020 scheduling of the Board of Health meeting dates for the next twelve months was accepted and is attached hereto and made a part of these minutes. A copy of this resolution will be published in the legal newspaper of the Township of Harding.

RESOLUTION BOH #02-2020 DESIGNATION OF NEWSPAPERS AND FIXING THE CHARGES FOR NOTICES OF PUBLIC MEETINGS:

Dr. Cervone, informed the Board this is required by State law and the Open Public Meetings Act. Public notices will be published in the *Observer Tribune* or the *Daily Record*. The Open Public Meetings Act allows the Board of Health to charge anyone who would like to receive by mail a copy of our meeting agenda, minutes, and other material upon payment of a fee. Upon a motion duly made by Mrs. McKittrick and seconded by Mrs. DiTosto, and with none opposed, Resolution BOH #02-2020, which sets the fee at \$50.00, was accepted and passed by votes of unanimous ayes. The Resolution is attached hereto and made a part of these minutes.

Board of Health Reorganization Meeting Minutes January 9, 2020

RESOLUTION BOH #03-2020 APPOINTMENTS OF PERSONNEL: SECRETARY, ADMINISTRATIVE AUTHORITY, REGISTERED ENVIRONMENTAL HEALTH SPECIALIST, AND ACTING ADMINISTRATIVE AUTHORITY TO THE BOH:

Dr. Cervone, asked if there were any comments with regard to BOH Resolution #03-2020. Upon a motion duly made by Dr. Lacz and seconded by Mrs. McKittrick, and with none opposed, Resolution BOH #03-2020, was accepted and passed by votes of unanimous ayes. The Resolution is attached hereto and made a part of these minutes.

RESOLUTION BOH #04-2020 APOINTMENT OF BOH SPECIAL COUNSEL:

Mrs. Sharp informed the Board that Mr. Ed Purcell, BOH Counsel, will be leaving the firm of DiFrancesco, Bateman, Coley, Yospin, Davis, Lehrer & Flaum, PC on January 15, 2020. Mr. Purcell made a recommendation of his colleague Mr. Joseph Sordillo, Esq. as the Harding Township BOH Counsel. Mrs. Sharp asked if the Board would like to meet with Mr. Sordillo. A discussion ensued. It was recommended that Resolution BOH #04-2020 be tabled till the Board of Health had an opportunity to meet with Mr. Sordillo. Mrs. Sharp will contact Mr. Sordillo and place this on the Board of Health agenda for February as an Executive Session item.

<u>RESOLUTION BOH #05-2020 RESOLUTION TO AUTHORIZE THE BOH CHAIRMAN TO EXECUTE CERTAIN DOCUMENTS:</u>

Dr. Cervone, asked if there were any comments with regard to BOH Resolution #05-2020. Mrs. Sharp explained to the Board that this resolution allows the Chairman to execute certain documents on behalf of the Board; i.e. Deed Restrictions. Upon a motion duly made by Mr. Boyan, seconded by Mrs. DiTosto, and with none opposed, Resolution BOH #05-2020, was accepted and passed by votes of unanimous ayes. The Resolution is attached hereto and made a part of these minutes.

MINUTES OF DECEMBER 12, 2019:

Dr. Cervone asked if there were any questions with regard to the December 12, 2019 minutes. Upon a motion made by Mr. Platt, seconded by Dr. Kao, and with votes of all ayes, none opposed, the minutes for the December 12, 2019 meeting were accepted.

MONTHLY REPORT FOR DECEMBER 2019:

Dr. Cervone asked if there were any questions regarding the monthly Health Department report for December 2019.

- * 83 Meyersville Road Mr. Byrnes provided an update on the septic for this property.
- * 27 Lee's Hill Road Mr. Byrnes reported that the contractor excavated the coco tank and crushed it. A new tank has been installed. Mr. Byrnes will inspect the existing septic pump tank.

Dr. Cervone asked if there were any further comments or questions to the December monthly report and the monthly financial. Upon a motion made by Mrs. DiTosto, seconded by Dr. Kao, and with votes of all ayes, none opposed the monthly report and financial report for December 2019 was accepted.

<u>COUNTY OF MORRIS MONTHLY REPORT OF ACTIVITIES FOR THE TOWNSHIP</u> <u>OF HARDING – DECEMBER 2019:</u>

Board of Health Reorganization Meeting Minutes January 9, 2020

Dr. Cervone asked if there were any comments or questions with regard to the Morris County Monthly Report. Miss Brady reported that three certificates of compliances for septic systems were issued today. Miss Brady reported that Miss Bourdony, Mr. Byrnes, and Miss Brady conducted an inspection of the deli on the corner of Millbrook and Village Road today. There is work that needs to be addressed. With no further comments a motion was made to accept the December 2019 Monthly County of Morris report by Mr. Platt, seconded by Mrs. DiTosto, and with a vote of all ayes, none opposed the monthly Morris County report for December 2019 was accepted.

OTHER MATTERS AND HEARING PERSONS PRESENT:

Seeing no further business, a motion to adjourn was duly made by Mrs. McKittrick, seconded by Dr. Lacz, and with a vote of all ayes, the meeting was adjourned at 8:15 p.m.

Respectfully submitted,

Lisa A. Sharp

Secretary, Board of Health

RESOLUTION BOH #01-2020 OF THE HARDING TOWNSHIP BOARD OF HEALTH MORRIS COUNTY, NEW JERSEY JANUARY 9, 2020

REGULAR MEETING SCHEDULE

WHEREAS, the Open Public Meetings Act, N.J.S.A. 10:4-19 requires that every public body shall post and maintain posted throughout the year for the purpose of public inspection, a schedule of the regular meetings of the public body to be held during the succeeding year;

BE IT RESOLVED, by the Board of Health of the Township of Harding in the County of Morris and the State of New Jersey that:

Public meetings of the Harding Township Board of Health shall be held during 2020 in the main meeting room of the township municipal building, Kirby Hall, at 21 Blue Mill Road in New Vernon in Harding Township, starting at 7:30 p.m. as follows:

February 13	August 13
March 12	September 10
April 9	October 8
May 14	November 12
June 11	December 10
July 09	January 14, 2021 - Re-organization Meeting to be held for
	the purposes of electing officers for the year 2021.

BE IT FURTHER RESOLVED, that the above schedule and any revision thereof shall be posted on the bulletin board in Kirby Hall and a certified copy shall be filed with the Clerk of the Township of Harding and mailed to *The Observer Tribune* and the *Daily Record*, and, upon prepayment of mailing costs, to all persons requesting copies of such schedule or any revision thereof.

I, Lisa Sharp, Secretary of the Harding Township Board of Health, County of Morris, State of New Jersey, do hereby certify this is a true copy of a Resolution approved by the Board of Health at a meeting held on January 9, 2020

Sharp

Dated: January 9, 2020

Lisa A. Sharp

Secretary, Board of Health

Vote on Resolution:

	MOTION	FOR APPROVAL	AGAINST APPROVAL	ABSTAIN
Mr. Boyan, Alt #2		\boxtimes		
Mrs. DiTosto	1 st	\boxtimes		
Dr. Kao, Alt #1		\boxtimes		
Dr. Lacz		\boxtimes		
Mrs. McKittrick		\boxtimes		
Mr. Platt	2^{nd}	\boxtimes		
Dr. Cervone		\boxtimes		

RESOLUTION BOH #03-2020 OF THE HARDING TOWNSHIP BOARD OF HEALTH MORRIS COUNTY, NEW JERSEY JANUARY 9, 2020

RESOLUTION TO APPOINT BOARD OF HEALTH PERSONNEL

WHEREAS, Title 26 of the New Jersey Statutes Annotated, requires and authorizes local Boards of Health to appoint its officers, agents and employees to accomplish the goals, objectives, duties, and responsibilities of said Board.

BE IT RESOLVED, by the Board of Health of the Township of Harding in the County of Morris and the State of New Jersey, that Lisa A. Sharp be reappointed Secretary to the Board of Health for the term ending December 31, 2020; and

BE IT RESOLVED, by the Board of Health of the Township of Harding in the County of Morris and the State of New Jersey, that George Byrnes be reappointed as Registered Environmental Health Specialist to the Board of Health for the term ending December 31, 2020; and

BE IT FURTHER RESOLVED, that for the purposes of N.J.A.C. 7:9A, Carlos Perez, Jr, Stephanie Gorman, Casey Brady, and George Byrnes be appointed as the Administrative Authority acting on behalf of the Harding Township Board of Health for the term ending December 31, 2020; and

BE IT FURTHER RESOLVED, that certified copies of this Resolution shall be mailed by the Secretary of the Board of Health, to the State Department of Health and Senior Services, and a certified copy shall be filed with the Municipal Clerk of the Township of Harding

Dated: January 9, 2020

I, Lisa A. Sharp, Secretary of the Board of Health in the Township of Harding in the County of Morris and the State of New Jersey do hereby certify this is a true copy of a Resolution approved by the Board of Health of the Township of Harding at a meeting held on January 9, 2020.

Lisa A. Sharp

Secretary, Board of Health

Vote on Resolution:

	MOTION	FOR APPROVAL	AGAINST APPROVAL	ABSTAIN
Mr. Boyan, Alt #2		\boxtimes		
Mrs. DiTosto	1st	\boxtimes		
Dr. Kao, Alt #1		\boxtimes		
Dr. Lacz		\boxtimes		
Mrs. McKittrick	2nd	\boxtimes		
Mr. Platt		\boxtimes		
Dr. Cervone		\boxtimes		

RESOLUTION BOH #02-2020 OF THE HARDING TOWNSHIP BOARD OF HEALTH MORRIS COUNTY, NEW JERSEY JANUARY 9, 2020

DESIGNATION OF OFFICIAL NEWSPAPER

WHEREAS, the "Open Public Meeting Act" R.S. 10:4-6 and following, requires that the designation of newspapers and fixing charges for notices of public meetings shall be as defined and set forth herein;

BE IT RESOLVED, by the Board of Health of the Township of Harding, in the County of Morris, State of New Jersey as follows:

- 1. The *OBSERVER-TRIBUNE* and the *DAILY RECORD* are hereby designated for the calendar year 2020 as two newspapers to receive notice of meetings of the Open Public Meeting Act, as it appears that these newspapers are most likely to inform the local public of such meetings.
- 2. The *OBSERVER-TRIBUNE* has been designated as the official newspaper for public notices for the Township of Harding as set forth in Resolution adopted by the Township Committee of the Township of Harding.
- 3. The public place for the posting of notices of meetings of the Board of Health for the calendar year 2019 shall be on the bulletin board in the main hallway of the Township Hall and a copy given to the Municipal Clerk of the Township of Harding.
- 4. The sum of \$50.00 is hereby fixed as the fee to be paid by any person requesting that notices of meetings of the Board of Health during the entire calendar year **2020** be mailed to such person, all as specified in R.S. 10:4-19, provided, however, that no charge shall be made to any newspaper requesting the mailing to its business office and;
- 5. Certified copies of this Resolution shall be mailed by the Secretary of the Board of Health to the *OBSERVER-TRIBUNE* and the *DAILY RECORD*, and a certified copy shall be filed with the Municipal Clerk of the Township of Harding.

Dated: January 9, 2020

I Lisa A. Sharp, Secretary of the Board of Health, hereby certify this is a true copy of a Resolution approved by the Board of Health of the Township of Harding, in the County of Morris and State of New Jersey at a meeting held on January 9, 2020

Lisa A. Sharp

Secretary, Board of Health

Vote on Resolution:

ote on resolution.				
	MOTION	FOR APPROVAL	AGAINST APPROVAL	ABSTAIN
Mr. Boyan, Alt #2		\boxtimes		
Mrs. DiTosto	2nd	\boxtimes		
Dr. Kao, Alt #1		\boxtimes		
Dr. Lacz		\boxtimes		
Mrs. McKittrick	1 st	\boxtimes		
Mr. Platt		\boxtimes		
Dr. Cervone		\boxtimes		

I then

RESOLUTION BOH #04-2020 OF THE HARDING TOWNSHIP BOARD OF HEALTH MORRIS COUNTY, NEW JERSEY JANUARY 9, 2020

RESOLUTION TO APPOINT BOARD OF HEALTH SPECIAL COUNSEL

WHEREAS, the Board of Health of the	e Township of Harding has a need to acquire a professional se	rvice
contract for the year 2020 as a non-fair ar	nd open contract pursuant to the provisions of N.J.S.A. 40A:11-5(1)(a);
and		

WHEREAS, funds are available for this purpose; and

WHEREAS, the following professional service contractor has submitted a proposal for 2020 and has completed and submitted their Business Entity Disclosure Certification pursuant to the New Jersey Pay-to-Play Act, certifying that reportable contributions to a political or candidate committee in the Township of Harding have not been made in the previous one year period and that the award of contract will prohibit the following professional service vendors from making any reportable contributions through the term of the contract.

BE IT RESOLVED, by the Board of Health of the Township of Harding in the County of Morris and State of New Jersey that the following professional service contract is hereby awarded for a one-year period; and

BE IT FURTHER RESOLVED, one quarter of these funds are currently certified with the remainder of funds being certified pending final 2020 budget approval.

Special Counsel

DiFrancesco, Bateman, Coley, Yospin,

1/1/20 to 12/31/20

Davis, Lehrer & Flaum, P.C.

\$175.00 per hour Not to exceed \$5,000.00

01-2020-1330-0330-2-00035 (health)

Dated: January 9, 2020

I, Lisa A. Sharp, Secretary of the Board of Health in the Township of Harding in the County of Morris and the State of New Jersey do hereby certify this is a true copy of a Resolution approved by the Board of Health of the Township of Harding at a meeting held on January 9, 2020.

Lisa A. Sharp				
Secretary, Board of He	alth			
Vote on Resolution:				
Y GOO OH TRESOLUTIONS	MOTION	FOR APPROVAL	AGAINST APPROVAL	ABSTAIN
Mr. Boyan, Alt #2				
Mrs. DiTosto				
Dr. Kao, Alt #1				
Dr. Lacz				
Mrs. McKittrick				
Mr. Platt				2
Dr. Cervone				

TOWNSHIP OF HARDING BOARD OF HEALTH RESOLUTION #05-2019 JANUARY 9, 2020

AUTHORIZING CHAIRMAN TO EXECUTE CERTAIN DOCUMENTS

WHEREAS, from time to time it is necessary for the Board of Health to execute deed restrictions, easements or other similar documents ("Certain Documents") related to certain Board of Health Approvals or as required by the New Jersey law; and

WHEREAS, it is administratively expedient to have the Chairman of the Board of Health authorized to execute these Certain Documents.

BE IT RESOLVED, that the Board of Health of the Township of Harding, County of Morris, State of New Jersey, does hereby authorize the Chairman of the Board of Health to execute such Certain Documents; and

FURTHER BE IT RESOLVED, that this resolution shall be retroactively effective to January 1, 2020.

BOARD OF HEALTH OF THE

DATED: January 9, 2020

ATTEST:	TOWNSHIP OF HARDING
Y 130 Mey	
Lisa A. Sharp	
Secretary, Board of Health	Chairman, Board of Health

Vote on Resolution:

MOTION	FOR APPROVAL	AGAINST	ABSTAIN
15+	M	$\begin{array}{c} \mathbf{APPROVAL} \\ \square \end{array}$	
200	\		
0.0			
	\boxtimes		
	ΣÌ,		
	Ø		
	,		APPROVAL

Peterson, Keith W. (VPBR 11)

no lowing

Good evening, I would like to thank the Board for taking the time this evening to consider our waiver request for the active water well on 45 Glen Alpin Rd. My name is KP and my wife and I purchased the property on 45 Glen Alpin Rd last year with the aspiration of relocating our 3 girls to Harding Twp and building a home there. The property currently has an active water well that was utilized for the prior residence.

upgraded The current water well has been inspected, remediated, and consulted on by Bob Mooney at Andover Pump Co who has over 50 years of experience in the field. We have spent over \$8000 to ensure the current well is in perfect working order Bob Mooney has also consulted with two Sr. Reps at The State of New Jersey and a Master driller in the State of NJ to verify his findings. They unanimously share his overwhelming sentiment that the current well on 45 Glen Alpin should not be decommissioned and should remain in its active status. I personally consulted with another NJDEP Master Driller Lic #M477095 at Ace Well & Pump that agrees with Bob Mooney's assessment and conclusion. Dave Fantina of Fantina Engineering has supported and documented Bob's conclusion and ensured the plan adheres to all current codes that were submitted to Harding Twp. offices in Dec 2019. The existing well will adhere to all setbacks and code as it relates to septic and home placement. Steve Goepel has filed the application and fee associated with the application on our behalf for the requested waiver.

As you can imagine, it has been a very challenging year for our family in changing schools and moving into a short term living facility in temporary apt Madison. Our intention is to begin the building process as soon as possible to mitigate any further disruption and financial consequences to our family. We are eager to acclimate and join the Harding Twp. community. At this point I would like to turn it over to Bob Mooney to address any concerns or questions you may have as it relates to our request. Thank you in advance for considering our request.

TOWNSHIP OF HARDING

Board of Health

Request for waiver from Board of Health regulations Fee: \$175.00

To request a waiver from Harding health standards or to appeal a ruling by the Health Department the applicant must complete this form and comply with the conditions set herein. The Board of Health cannot waive New Jersey state requirements. The request for waivers and appeals will not be heard by the Board of Health unless a complete application. If the Board needs to consult with the Township Attorney or Township Engineer an escrow account must be established prior to the hearing.

		JAN _ 6 2020
Site Information	L W	
Block: 49	Lot: (3	LABONIO TO WNSHIP
Owner: Kenn + K	ristin Retursion.	DEPT. OF HEALTH
Street Address: 45	Glen Aprin Road Hardon	
Post Office: Hardy	Zip code: 04976	
Phone: (day) વારે પડ	U-2599 (Email Address) Kwpetersin	ne Verzon net
Project Information		ac
Briefly describe the project a (you may submit a separate	nd waivers requested or reasons for appeal: sheet)	A J
Regnesting,	a warrar for the existing well at	
45 Glen A	Apin Road. The well is in perfect	ä
Condition	and only lacks a few feet of casing	
required &	or new home wells, but This well or	APPROBLEM
existing u	or new home wells, but This well is on as it has been, in perfect runn.	ny order.
Project Engineer (name, address, phone,	David Fantina	
Email Address)	dfantina@fantmaengneuring.com	
	908 696-9598	
		i dia
Signature of ne	igh bor within 200' of 43 Colon A	April Property:
& Name: Ty	Richele Blanchard	
	17 Glen Alpin Rd Morrista	icon NJ 07960