

**BOARD OF HEALTH – TOWNSHIP OF MENDHAM  
MEETING MINUTES  
August 24, 2021 – 7:30 P.M.**

**CALL TO ORDER:** *Wendy Parrinello, Board Secretary*

**STATEMENT OF ADEQUATE NOTICE**

Adequate Notice of this meeting of the Board of Health of the Township of Mendham was given as required by the Open Public Meetings Act as follows: Notice was given to the Observer Tribune and Daily Record on February 8, 2021. Notice was posted on the bulletin board in the Township offices and notice was filed with the Township Clerk.

**SALUTE TO THE FLAG:** *Led by Benjamin Weber*

**THOSE IN ATTENDANCE:**

Dr. Trishna Goswami  
Mr. Jesse Smith  
Mr. Benjamin Weber  
Mr. John Atkins, Alternate 1  
Ms. Daniela Caporrino, Alternate 2

**APPROVAL OF JULY 27, 2021 MINUTES**

Mr. Smith makes a motion to accept the minutes as corrected. Mr. Atkins seconds the motion.

**ROLL CALL: YES** – Dr. Goswami, Mr. Smith, Mr. Weber, Mr. Atkins, Ms. Caporrino

**BUSINESS**

BLOCK 127 LOT 82

APPLICANT: TERENCE ARIMBOOR

APPLICATION: Alteration Expansion/Change in Use – 24 Schoolhouse Lane – Engineering and Land Planning Associates, Inc.

- Mr. Derek Ranger of Engineering and Land Planning Associates, Inc. is in attendance and is representing the septic project at 24 Schoolhouse Lane. Mr. Ranger explains that since the last Board of Health meeting in July, three additional soil logs have been performed at the site. The system has been revised to be a pump system with the septic field in the front of the home, adjacent to the existing system. The existing septic tank will be used and a pump tank right next to the field is being proposed. Mr. Ranger states that the reason for moving the field is to avoid any potential issues with wetlands and the DEP.
- Mr. Ranger states that all comments have been addressed, a response letter was given and the architectural plans have been submitted.

- Mr. Smith asks if the current home is being demolished and the new home being put on the existing foundation. Mr. Ranger states that that is correct; the proposed project involves taking the existing one story, three-bedroom dwelling and demolishing it, but keeping the existing foundation and rebuilding a four-bedroom, two story dwelling. Full plot plans will be submitted to the Township engineer once completed.
- Mr. Ranger presents and explains the architectural plans to the Board.
- Ms. Freer asks if the bathroom in the basement has an ejector pump. Mr. Ranger will speak with the architect about this.
- Mr. Weber explains that it's important to know about the ejector pump, as it changes the field size requirement if one is in use.
- Ms. Freer states that a letter, in 2018, was issued from the DEP, which explains that *when an ejector pump is installed into a home, the state requires that the septic tank is sized 50% larger than required and also that the local health departments are able to waive the 50% larger field requirements for homes as long as it is just a "convenience" bathroom.*
- Mr. Weber states that if gravity flow from the system can be achieved in the basement, then the tank and field size can remain, however, if this project requires pumping through an ejector pump, then the technical specifications need to be changed and then the Board of Health will decide on waiving the field increase size. The tank size would have to increase.
- Mr. Smith asks if the existing tank is on elevation. Mr. Ranger states yes, that the elevated basement would put the finished floor at a 104 elevation.
- Mr. Weber makes a motion to approve this application with the qualification of the following:
  - That it be determined whether there's enough slope to be able to have the gravity feed system for the basement and if there is, it will be satisfied by 1.66 times (21x50) and increase size of the bed.
  - Keep existing tanks, but if an ejector pump is needed the size of the settlement tank will be increased by 50% from 1000g to 1500g.
  - If managing the system so that it is gravity feed, all height requirements with the town will be in compliance.
- Mr. Smith seconds the motion.

ROLL CALL VOTE – YES

Dr. Goswami  
 Mr. Smith  
 Mr. Weber  
 Mr. Atkins  
 Ms. Caporrino

BLOCK 100 LOT 14

APPLICANT: SENECA DEVELOPMENT GROUP

APPLICATION: New Construction for Septic and Well – 5 Carriage Hill Drive – Yannaccone, Villa and Aldrich

- Ms. Candice Davis is in attendance and is representing the applicant, David Seneca of Seneca Development Group. Ms. Davis explains that the six-acre lot is currently vacant and that the septic, which requires a pump system is being proposed in an uphill location because of the steep slopes on the property.
- Ms. Davis states that architectural drawings have been submitted for a four-bedroom dwelling and that the septic system is designed for four-bedrooms. Architectural floor plans present an unfinished basement with no consideration for a bathroom at the lowest level of the home.
- The septic system is proposed with a 1000-gallon two compartment septic tank and a 1250-gallon pump pit that pumps up into the septic bed.
  - On Sheet 2 in the section view detail and on the septic system design calculation there is an error – 20x51, which will be revised to 21x50 on both the section view and the design calculations.
- Relative to the Memos provided by Ms. Freer and Mr. Korshalla, Ms. Davis states that the following will be included on the revised and resubmitted plans.
  - Adding setbacks to the disposal bed on the plan.
  - Adding setbacks from the disposal bed to the well.
  - Correcting sheet 2 with regards to the dimensions.
- Mr. Weber proposes to approve the application with the three conditions noted above. Mr. Smith seconds the motion.

ROLL CALL VOTE – YES

Dr. Goswami

Mr. Smith

Mr. Weber

Mr. Atkins

Ms. Caporrino

BLOCK 141 LOT 14

APPLICANT: CHARLES NOETH

APPLICATION: New Construction for Septic 25 Dogwood Drive – Roth Engineering, LLC

- Mike Roth of Roth Engineering, LLC is in attendance and is representing the application for 25 Dogwood Drive. Mr. Roth explains that the project proposes to remove the existing dwelling and site features and proposes a new single-family dwelling with a new conforming gravity septic system, located at the rear yard to the east of the dwelling.

- The new septic system is designed for a five-bedroom home and complies with the setback requirements of the town.
- There is an existing well on the property that will remain and will be used for the new dwelling. The existing well is 43.1ft. from the property line; 75ft. is required for new construction, therefore a waiver is being requested. There are no proposals to change the well location. Mr. Roth is requesting the Boards approval as the project is considered new construction.
- Mr. Weber asks if this is something that requires notice to the adjacent property owner and if so, was notice given? Mr. Roth states that he is not aware that that has been done.
- Mr. Mills states that as a preexisting nonconformity, nothing is being worsened to the detriment of the adjacent property owner and notice can be overlooked in this instance.
- Mr. Roth notes that a comment from Mr. Korshalla stated that a dimension was not on the plan with regards to the well and that the dimensions for the well will be provided – the well is 43.1ft. from the property line and there is no change proposed for the location of the well.
- Dr. Goswami asks what the risk is for having the well remain 43.1ft. rather than the 75ft. requirement. Mr. Mills explains that it drives a greater distance on the adjoining property for the location of any replacement septic system that they may install to achieve a consistent 100ft. separation.
- Mr. Weber states that the septic drawing indicates that the existing septic is on the other side of that adjacent property's lot and not in the vicinity of the well at 25 Dogwood Drive.
- Mr. Weber states that architectural plans have not been submitted and that the Board needs to be able to verify the bedroom count against the architecturals. The plan needs to identify whether it's a four or five-bedroom dwelling. Mr. Roth states that the architectural plans will be submitted. That currently the design as is, is for four bedrooms with an optional bedroom in the basement. The intention is at some point to have a bathroom in the basement.
- Mr. Smith asks if there are means of egress at the ground level.
- Mr. Roth states yes, that there's an access way to the backyard. Mr. Roth explains that with regards to the basement level bathroom, on the plans, the basement finished floor is at 90.7ft and invert elevation for the sanitary levels is 86.4ft. The system will be gravity flow from the basement level out and there is no need to have any pumps at the basement level.
- Mr. Weber would like to know if the Board is being asked to approve a five-bedroom because of the potential bathroom in the basement. Mr. Mills states that if the system is designed for five-bedrooms then approve it for that.
- Mr. Smith asks if the application should be changed so that it reflects five-bedrooms and not four-bedrooms. Mr. Roth states that there was a typo on the plans that indicated four-bedrooms and that it will be updated. Mr. Roth continues that the architectural plans will reflect a five-bedroom dwelling as the septic system is designed for five-bedrooms.

- Mr. Weber makes a motion that the application is approved, and included in the approval is a waiver for the non-conformance related to the continued location of the well.
  - Condition: Submit architectural plans that will reflect five-bedrooms and update the septic plans to be consistent with a five-bedroom home.
- Mr. Smith seconds the motion.

ROLL CALL VOTE – YES

Dr. Goswami  
 Mr. Smith  
 Mr. Weber  
 Mr. Atkins  
 Ms. Caporrino

**HEALTH OFFICER’S MONTHLY REPORT**

Reviewed by Ms. Freer. Full reports available in the Board of Health Office

*July 2021*

- Health Officer and Assistant Health Officer continue work with Covid-19 duties.
- Mr. Weber asks about the Covid-19 Delta variant. Ms. Freer states that she does not have that information and will ask of that information from the nursing department.
- Dr. Goswami asks if there’s a sense of the vaccination rate.
- Dr. Carlos Perez states that in terms of the Delta variant this is twice as contagious and it’s the predominant strain throughout New Jersey and in Morris County. The County vaccination levels are well above 70% and the vaccination rates can be found at the Covid-19 hub at the New Jersey Department of Health – vaccination rates are broken down by municipality.
- Dr. Perez states that he spoke with Atlantic Health Systems and they are seeing an increase in positive Covid-19 cases in children under the age of 12, which remain unvaccinated.
- Dr. Perez states that at present the CDC is recommending the use of masks among vaccinated and nonvaccinated individuals.
- Ms. Freer explains that septic repairs, alterations and inspections continue to be abundant.
- Mr. Weber makes a motion to accept the Health Report as presented. Mr. Smith seconds the motion.

ROLL CALL VOTE – YES

Dr. Goswami  
 Mr. Smith  
 Mr. Weber

Mr. Atkins  
Ms. Caporrino

## General Correspondence

### Shared Services Agreement for Public Health Services with Morris County:

- Dr. Perez is in attendance via Zoom to answer any questions related to the Shared Services Agreement for Public Health Services with Morris County.
- Mr. Weber asks if this Agreement differs from the last one. Dr. Perez states that there are minimal changes, which are highlighted throughout the contract.
- In terms of substantive changes, Mr. Weber asks if the Board will have the opportunity to see these in writing and discuss them. For example, it's proposed to change the standard in the indemnity by increasing it from just omissions to 'willful' when it was previously 'negligent'.
- Dr. Perez states that he is sharing the corrections made to the agreement, which the Board of Health will be receiving.
- Mr. Weber asks about the word, 'willful'. With regards to the word, 'willful', Dr. Perez explains that he spoke with the Risk Assessment Manager for the County, for the use of the term, 'willful' and they asked that the word be added after 'negligent acts.'
- Dr. Perez explains that the financials in the contract for Mendham Township are based on estimated number of hours for REHS, health education, nursing and health officer. Mr. Weber asks if state or federal funding were granted for additional hours that helped to defray the additional hours incurred by staff, particularly with the duties related to Covid-19.
- Dr. Perez states that they did not receive additional funding to defray costs in terms of communicable disease investigation. Dr. Perez states that funding was received for the mass vaccination effort that took place earlier this year. Dr. Perez continues that for this fiscal year, application for a Covid-19 supplemental grant to increase vaccine confidence and uptake - not to defray costs, but meant to cover the costs of providing (inaudible)... Once approved through the state the plan is to offer vaccine clinics in contracted municipalities including Mendham.
- Mr. Smith asks if any FEMA money was granted. Dr. Perez states that the County did receive FEMA funding, which went towards overtime hours that were incurred. The Division of Public Health does not apply for FEMA reimbursement, that is through Morris County.
- Dr. Perez explains that the Agreement with Mendham Township is based on hours, hourly rate, number of hours per year and fringe benefits, which at the present time is 71% at the County, however, Mendham Township was charged 20% for the hours worked in terms of fringe.
- Dr. Perez continues that 2% increases have been reflected annually since 2017. Mr. Weber would like to know how the 2% increase is warranted. Is there a reason that it goes up on an annual basis?

- Dr. Perez explains that costs are based on number of hours per employee. The Shared Services Agreement barely covers the cost of one employee. Dr. Perez states that having shared services is to hire and enhance the employment opportunity of the County and to share those services with the Township. Salaries have increased over the last five years and the fringe rate has gone up substantially.
- Mr. Weber asks if any of the shared services agreement are less than five years. Mr. Perez states, no.
- Mr. Smith asks if any of the shared services agreements go by per capita. Mr. Perez states, no.
- Dr. Goswami asks if the 2% increase is applied to other municipalities that are in contract negotiation. Dr. Perez states, yes, that all municipalities are at 2%.
- Mr. Monaghan would like a sense of the overall County Department of Health budget – how much of the budget is funded by shared service agreements versus other means for the County budget?
- Dr. Perez states that (from shared services) it is a very small amount and that he would look into it. Most funding comes from public health emergency preparedness grants. In addition, under the County Environmental Health Act, which oversees the implementation of the Morris County CEHA Program, enforcement in air/water pollution, bog waste, pesticide – the penalties for noncompliance go into a trust account, which help with the funding of shared services. It's about 80% grants and 20% shared services, but that is not an exact measure.
- Dr. Perez continues that the funding received through Mendham Township helps off-set one salary for the REHS, but doesn't cover the full cost.
- Dr. Perez explains that since the Covid-19 Pandemic, the hours that the Township would have been provided an onsite nurse have been redirected to staffing the vaccination site at the County College of Morris, contact tracing efforts, communicable disease investigations and consultations with the regional high school, the middle school and the elementary school.
- Mr. Weber asks if the Board of Health can be comfortable that Mendham Township is receiving the full package of services that it needs during Covid.
- Mr. Perez states that the County is mandated under state law to provide the Township with public health services, i.e., food inspections, rabies reports, communicable diseases services and information. The state did provide waivers to municipalities because they understood that the public health staffing was not sufficient. With that, the Township is receiving the services that are required despite the state waivers.
- Mr. Smith asks if the Shared Services Agreement satisfied the state requirements and are there other items that the Board should be looking at to add.
- Dr. Perez explains that there are mandated public health services that each municipality must have – public health nursing, health education, health officer and environmental health. There are no electives beyond that.
- Mr. Smith understands that the mandated services are covered. Is there action that the Board should be inquiring of for additional services, i.e., senior outreach (slips, trips and falls).

- Dr. Perez explains that the public health practice standards for local boards of health have been changed to ensure that elected items are now required. For example, injury prevention is a mandated health education service that the County provides. The health education intervention might be a healthy bones class or a newsletter. Injury prevention among seniors is a mandated health education service that is required by the County
- Mr. Weber asks if members of the Board have any questions for Dr. Perez.
- Mr. Weber asks that final changes and marked copies be sent to Ms. Parrinello to share with the Board.
- Mr. Weber would like the Board to be able to make a motion on shared services at the next Board of Health meeting.

### **Amendment/Addition of “Appendix C” of the Animal Control Solutions, LLC for the Additional Service of Feral Cat Mitigation**

- Ms. Parrinello explains that there is a potential agreement with Animal Control Solutions, which allows for a feral cat to be spayed/neutered at a minimal cost to the Township. The ownership of the feral cat, however, will be with the person who brought the cat to the vet.
- Mr. Weber asks if we’re being asked to take any action on the Additional Services of Feral Cat Mitigation.
- Mr. Mills would like more information before the Board is to take action.
- Mr. Monaghan will speak with Township Administrator, Mr. Jason Gabloff and report back to the Board.
- Mr. Weber states that this matter is tabled for the time being.

**Meeting Adjourned: 9:05 pm**