

APRIL 15, 2009
ANDOVER TOWNSHIP
BOARD OF HEALTH MEETING

The regular meeting of the Andover Township Board of Health was called to order at 7:33PM by Chair Person, Rachel Nazarian with the following members present: Mary Ann Klenke, Maryann Frodella, James Cunningham and Jackie Huelbig. Christine Davey of the Sussex County Health Department was present as was Township Attorney Dominic DiYanni.

OPENING STATEMENT: The Chair Person noted compliance with Chapter 231, P.L. 1975 as being met.

CONTINUATION OF VARIANCE HEARING: Block 139, Lot 2, Dennis Dr., Andover Township:

At this time Attorney DiYanni addressed the Board Members and the applicant, John McMahon and his Attorney, Joanne Sorentino. Attorney DiYanni asked for the Secretary to give a roll call. All members of the Andover Township Board of Health were present. Secretary/Member Jackie Huelbig recused herself from this hearing but remained on the dais to take notes.

The conclusion of the hearing which took place on December 10, 2008 proceeded and when all members were satisfied that they had an opportunity to review the case and had sufficient information and facts regarding the applicant's request for a variance to permit placement of a septic for a new construction closer than the required 100 ft between the proposed septic and an existing well on an adjoining lot, a motion to deny granting the variance was made by James Cunningham and seconded by MaryAnn Frodella. The Secretary was asked to take a roll call and all members voted to deny the application.

Attorney DiYanni stated that a resolution representing the facts and outcome of this hearing will be prepared by his office and will be presented for approval at the next Board of Health meeting on May 20th. A copy of this resolution will be forwarded to the applicant's attorney. At this time the hearing concluded.

RECESS: Chairperson Nazarian called for a motion to go into a brief recess before continuing with the meeting agenda. MaryAnn Frodella made a motion, seconded by Maryann Klenke, all in favor to go into recess at 7:56 pm.

The meeting was reconvened at 8:07 pm.

MINUTES: James Cunningham made a motion to approve the minutes of March 18, 2009 Maryann Klenke seconded the motion, all in favor.

OPEN TO THE PUBLIC:

As there were no representatives from the public, Chairperson Nazarian closed the meeting to the public at this time.

CORRESPONDENCE RECEIVED:

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| 1. | Andover Regional School Nurses | Reports from LPS and FMB |
| 2. | SCHD, Joan Skillin | Letter to Twp. Court Admin.
Re Rolling Hills bulk storage |
| 3. | SCHD, Ralph D'Aries | Memo re Rays Inn |
| 4. | NJ Dept. of Health & Senior Services,
Div. of Epidemiology, Environmental &
Occupational Health | Letter re Bird Testing for WNV
Surveillance |

At this time we reviewed Correspondence Received. We commented that the Andover Regional School Nurses have submitted their reports and it seems that one nurse sees many more students than the other. We attributed that to the larger school population in the one school as opposed to the other. We also commented on Joan Skillin's diligence in working to get the Rolling Hills Condo Association in compliance with the solid waste storage issues at that site. She is working very hard to bring them into compliance and also to bring them into court to resolve this issue once and for all. We all commend Joan for her efforts. Next we began discussion on a memo from Ralph D'Aries of the SCHD re the violations recently issued for Ray's Inn. We also made mention that this has become a concerted effort by the township and county officials to have this site closed until it can meet all sanitary codes and the reported illegal activities cease and desist.

At this time, Township Committee Liaison to the Board of Health, Tom Walsh joined the meeting. Since we had touched upon the issues at Ray's Inn, Chairperson Nazarian asked Christine Davey of the SCHD to give her report on this site as a result of her inspection. Christine stated that the Andover Township Police Department asked the SCHD to make an inspection of the premises for health issues that they became aware of during a recent raid by law enforcement officials. These law enforcement officials used an illuminated light to determine if there were traces of DNA on the walls, floors and ceilings of the premises and they reported finding that there were. The SCHD came in with an illuminating "black light" and discovered that there were traces of bodily fluids present, especially in a back room known as the "lap dance room". The men's room also was the same.

Christine shared photos of the deplorable conditions at Ray's Inn. They were issued 35 health code violations. They had to shut down until they took care of these issues. They were asked to come in for a hearing at the SCHD. Two representatives came to the hearing since Mr. Cerasoli was not available. It was explained to the representatives that with 35 violations, they could be taken to court on each violation and they could be charged \$2,000.00 per violation. They called 30 minutes later to say they would close and take care of the clean up. They remained closed for 1 week and then another inspection was done and they had addressed all issues.

While at the site for the second inspection the representatives from the SCHD entered the basement area and found large amounts of garbage so they were given some time to take care of that issue. But all in all, the SCHD were pleased with the clean up that took place. The premises reopened. Christine suggested that the SCHD coordinate inspections of food handling premises that also hold liquor licenses prior to the township granting renewal of the liquor license each year. This way, the township will have another level of inspection for each premise that holds a liquor license.

At this time we briefly discussed the letter from NJ Department of Health & Senior Services, Division of Epidemiology re bird testing for West Nile Virus Surveillance.

At this time, James Cunningham made a motion to file Correspondence Received. MaryAnn Frodella seconded the motion, all in favor.

CORRESPONDENCE SENT:

1. Bureau of Safe Drinking Water & SCHD As per instructions in 2/26/09 letter from SCHD - E2 Water System Registration Forms (E2-WS-001) for Hillside Park Bldg.; Andover Twp. Police Headquarters and Andover Twp. Fire House

The Board Secretary/Member, Jackie Huelbig will be attending a training session in May to correspond with this E2 Water System Registration. The seminar will be on the new Ground Water Rule and will be held in Wharton.

At this time, James Cunningham made a motion to file Correspondence Sent. MaryAnn Frodella seconded the motion, all in favor.

OLD BUSINESS:

1. Review of correspondence discussed at 3/18/2009 meeting re Notice of Deficiency for 107 Sunset Blvd. This matter was tabled to this meeting to gain clarification of this matter. There was an issue as to why the water tests were going to be stopped and if it was not in the best interest of the home owner to have the tests continued. There was a question on the location of where the water for the test was taken from. Access was a problem. Christine reported that she spoke with Mr. McClachrie of the NJDEP who the letter was addressed to from ECC Horizon. Mr. McClachrie stated that the location of where the water was taken from for the tests was not a problem. It was acceptable to get the water from an outside spigot. He stated that the application was still in the review process. He isn't concerned about the location of the draw. Christine will follow up and we will be receiving further correspondence on this matter.

NEW BUSINESS:

1. Reports from SCHD: Christine Davey continued her report on the month's activities. Christine distributed a report on her inspections. She did 17 food inspections in February and March. Some are still pending. There was a complaint of 1 person becoming ill after eating at Sheridan's Lodge but nothing was considered out of the ordinary after a follow up inspection. Since the person did not go to the Doctor there was no confirmation that it was food poisoning so it did not require additional follow up. There was a public health nuisance complaint re a septic system failure in Lake Lenape at 42 Lenape Ave. There was an overflow and now there is a permit out for the repair. During the inspection at this property for the septic problem it was noticed that there was a huge amount of solid waste on this site. It almost looked as if the owner was conducting some type of business requiring many, many tanks. The Fire Department was summoned for an inspection and it was determined that it was not a dangerous situation but definitely had to be clean up. On her return inspection the property owner produced an invoice from George's Salvage showing that he had disposed of the refuse properly.

Next Christine reported on an odor complaint at a Rolling Hills condo unit. The 2 adjacent condo unit owners felt that the offending unit owner had been storing garbage in the basement area but an inspection proved that it wasn't problematic. Then again there was a report of septic overflow at Casa Bellissima. On inspection there was no visible evidence of overflow although the grass is very green around the inspection ports and the rest of the grass is dormant so you would have to determine that indeed the area had been saturated recently. There seems to be an ongoing problem with the pump in this system. The owner's engineer is working on this problem. There might be a problem with high water table in the area of the field. Another problem is that the alarm in the system that should alert you that the pump is not working was disconnected so that was rectified during the inspection.

ADJOURNMENT:

At this time, there being no further business to discuss, James Cunningham made a motion to adjourn the meeting at 8:37 pm. It was seconded by Maryann Klenke. All in favor.

Respectfully Submitted,

Rachel Nazarian, Chair Person

Jackie Huelbig, Secretary

