

**HARDING TOWNSHIP
BOARD OF HEALTH
Thursday, March 14, 2019**

Regular Meeting Minutes

Dr. Cervone, Chairman, called the regular meeting of the Harding Township Board of Health to order on March 14, 2019, at 7:29 p.m., and announced the meeting was called in accordance with the laws of the State of New Jersey.

ROLL CALL:

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

BOH Attendance: Mr. Boyan, Mrs. DiTosto, Dr. Lacz, Mrs. McKittrick, Mr. Platt (via phone), Dr. Cervone

Absent: Dr. Kao, Mr. Purcell, Esq.

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

County of Morris Attendance: Miss Jacqueline Bourdony, REHS

Members of the Public: 0

MINUTES OF FEBRUARY 14, 2019:

Dr. Cervone asked if there were any questions with regard to the February 14, 2019 minutes. Upon a motion made by Mrs. DiTosto, seconded by Mrs. McKittrick, and with a vote of all ayes, none opposed, the minutes for the February 14, 2019 meeting were accepted.

MONTHLY REPORT FOR FEBRUARY 2019:

Dr. Cervone asked if there were any questions regarding the monthly Health Department report for February 2019. Upon a motion made by Mrs. DiTosto seconded by Mrs. McKittrick, and with votes of all ayes, none opposed the monthly report for February 2019 was accepted.

**COUNTY OF MORRIS MONTHLY REPORT OF ACTIVITIES FOR THE TOWNSHIP
OF HARDING – FEBRUARY 2019:**

Dr. Cervone asked if there were any comments or questions with regard to the Morris County Monthly Report. Miss Bourdony provided an update as follows:

1. Miss Bourdony explained that a septic application for 2 Peachcroft Road was submitted with a future cabana. There is a conflict between the applicant and their engineer regarding the cabana, the applicant stated they do not want the cabana. Miss Casey Brady, REHS for Morris County is working with the applicant and the engineer. The Health Department has sent a request for number of bedrooms form to be completed by the applicant which states that there will be no bedrooms in the cabana, if the cabana remains. The Health Department is waiting the signed form before proceeding with the septic review and updated plans..
2. Miss Bourdony explained that the Health Department received a complaint regarding 2 Fawn Hill. The contractor will be haying and seeding sometime in the spring but did not place a silt fence

per the septic plans. The complaint is for soil running off the property. Miss Bourdony sent the contractor an email and was informed that the situation has been remedied.

Upon a motion made by Mrs. DiTosto, seconded by Mrs. McKittrick, and with votes of all ayes, none opposed the monthly report for Morris County for February 2019 was accepted.

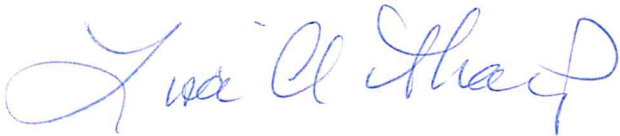
OTHER MATTERS THAT MAY COME BEFORE THE BOARD AND HEARING PERSONS PRESENT:

Miss Bourdony informed the Board that the public recreational bathing code has been amended as of January 31, 2019. Miss Bourdony disseminated a copy of the new amendments to each Board member. A copy of the amendment is appended to these minutes. A discussion ensued regarding the amendments. Miss Bourdony stated that Mt. Kemble Lake will be able to keep their diving board and will not require a lifeguard. However, they will be required to state that they are "special exempt".

ANNOUNCEMENTS/ADJOURNMENT:

Seeing no further business, a motion to adjourn was duly made by Mrs. DiTosto, seconded by Mrs. McKittrick, and with a vote of all ayes, the meeting was adjourned at 7:42 p.m.

Respectfully submitted,



Lisa A. Sharp
Secretary, Board of Health



State of New Jersey

DEPARTMENT OF HEALTH

CONSUMER, ENVIRONMENTAL AND OCCUPATIONAL HEALTH SERVICE

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Commissioner

On, January 31, 2019, Governor Murphy signed into law Section 2 of P.L. 1991, c.135 (C.26:4A-5) amending the law and subsequent statutes annotated, N.J.S.A. 26:1A-7 & 26:4A-7, which gives the Department the authority to write the Public Recreational Bathing Rule, N.J.A.C. 8:26 et seq. These changes to the statute will have a direct effect on N.J.A.C 8:26 et seq. effective immediately.

The amendments are as follows:

26:4A-5. Exemptions from mandatory compliance

(26:4A-5) A specially exempt facility shall be exempt from mandatory compliance with the first aid personnel and lifeguard requirements of N.J.A.C. 8:26-5 et seq., except that: No specially exempt facility shall be deemed ineligible for an exemption from mandatory compliance with the first aid personnel and lifeguard requirements of N.J.A.C.8:26-5 et seq., as provided in this section, solely on the basis that the facility has a functional diving board, water slide, or similar recreational appurtenance.

26:4A-5.1. Inspection of seasonal swimming pool; lifeguards; compliance with new requirements

(26:4A-5.1a) Each seasonal swimming pool shall be inspected by the health authority prior to its opening for public use, and each year-round swimming pool shall be inspected by the health authority at least two times in each calendar year. A seasonal swimming pool may, prior to opening for public use, elect to submit to the health authority a completed Checklist for Public Recreational Bathing Facilities developed by the Department of Health, which the health authority may choose to review in lieu of conducting an onsite inspection, except that the health authority shall be required to conduct an onsite inspection of each new swimming pool prior to its opening for public use for the first time. Nothing in this subsection shall be construed to require any swimming pool to complete the Checklist for Public Recreational Bathing Facilities developed by the Department of Health. As used in this subsection, "health authority" means the Department of Health or a municipal, county, or regional board of health.

(26:4A-5.1b) Lifeguards who are on duty at a swimming pool shall not have duties or perform any activities that would distract them or intrude upon their attention from proper observation of persons in the swimming pool area or that prevent immediate assistance to persons in distress in the water; except that nothing in this subsection

shall be construed to prevent any lifeguard from performing minor administrative tasks, such as checking pool passes, or from performing any routine testing required by the Department of Health by regulation, including, but not limited to, testing disinfectant levels and measuring the pH of the water during operational hours, provided that the lifeguard can perform these tasks and tests without causing an imminent, significant risk to bather safety.

(26:4A-5.1c) No seasonal or year-round swimming pool that was in existence on January 1, 2018 shall be required to take any steps to comply with any new requirements concerning swimming pool circulation systems established by the Department of Health by regulation on or after January 1, 2018, until such time as alterations are made to any part of that swimming pool's circulation system. As used in this subsection, "alteration" means any modification or relocation of any structure or equipment, or change of water flow patterns in an existing swimming pool, such that the design, configuration, or operating characteristics of the circulation system are different from the original design, configuration, or operating characteristics of the circulation system. The term does not include normal maintenance, repair, or replacement of equipment with the same or a newer model.

This Act was passed and approved on January 31, 2019. For more information contact the Public Health & Food Protection Program (PHFPP) on our website at <https://www.nj.gov/health/ceohs/sanitation-safety/>, via email prb@doh.nj.gov and (609) 826-4935.