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The regular meeting of the Board of Health was held in the Board of Health Building on Wednesday, July 23, 2003 at 7:30 p.m. Rob Bond called the meeting to order, and led the salute to the flag.

THIS MEETING WAS HELD IN ACCORDANCE WITH THE OPEN PUBLIC MEETING ACT, NJSA 10:4-1 ET. SEQ. ANNUAL NOTICE HAVING BEEN FORWARDED TO THE NEW JERSEY HERALD, THE SUSSEX COUNTY NEWS LEADER, THE DAILY RECORD AND POSTED ON THE BULLETIN BOARD MAINTAINED IN THE MUNICIPAL BUILDING FOR PUBLIC NOTICES.

ROLL CALL:

PRESENT: Rob Bond, Dennis Twyford, Thomas Forbes, Mariano Gianni, James Vanderhoof, and Catherine Cokelet.

ABSENT: Melinda Conti

MINUTES OF THE PREVIOUS MEETING: Mariano made a motion to accept the June 25th minutes, seconded by Catherine.

MEETING OPENED TO THE PUBLIC:

1. Richard and Diane Robinson: Richard introduced himself to the Board and went on to say his dog has been at the pound for almost two months. The dog bit two of my neighbors who claim he just bolted out of his yard and openly attacked them. They said they had no idea as to why the attack took place. Later on when I got the police report, it verified something I had asked them and they said no, there was not a dog present. There was. I am not happy with this whole scenario. I went to the court clerk to find out about the appeals process. I was told it would cost \$300.00, plus the transcripts. I later found out the appeals process costs \$30.00. I did not have the \$300.00 and I forewent the appeals process and lost the right to appeal the decision.

I constructed a compound, a six-foot cyclone fence with a roof on it. It has two locking doors, one with a pad lock and one with a locking gate. That has cost me \$500.00 and I have been fined \$1130.00. By the time I pay impoundment charges, that will be around \$200.00. When it is all said and done, minus the insurance policy, it will be over \$2,000.00 to keep a dog that I feel is not vicious.

Rich continued, I asked to come here to bring it to somebody's attention that I feel there has been a lot of wrongdoing. The dog did wrong we are not questioning that. We are questioning, is the dog actually a potential biter, would he go out and bite randomly again or has he ever done it in the past? Probably not. I would like to get him back.

Rob thanked Mr. Robinson and asked if there were questions from the Board members. Rob added that our ordinance mirrors the state statute. Carl went down the list of what is needed by Mr. Robinson, a sign, the dog tattooed, special registration, and an insurance policy to be set by the local magistrate, as well as the enclosure that Mr. Robinson has built.

Catherine asked, if Mr. Robinson does all of the above and gets his dog back, what does he want from the Board? Rich answered; I feel the dog is undergoing a lot more than should have been. Carl said, I charged Mr. Robinson based on the investigation of the Animal Control Officer. Mr. Robinson was never misled. We told him from the beginning the seriousness of the charge. We made copies for you and you had your right to plead not guilty. Mr. Robinson said, I've been trying to cooperate since day one on this, but no one wants to hear nothing. I can't even appeal it in court because some one gives me the wrong information. It has been wrong information since day one.

Rob thanked the Robinson's for coming and said he wishes there was more that the Board can do, unfortunately all of those issues are outside of the immediate control of the Board. Mr. and Mrs. Robinson then left the meeting. 8:05 pm.

2. Christine Rodenbaugh, 18 Harvard Trail: Carl started by reading a letter written by Ms. Rodenbaugh stating that she has a failed septic system and asked Texagon for an estimate to do an alteration. They quoted her a price of \$2800.00. Texagon began work and was told to stop by the town inspector, Gary Landiak, because of a major site discrepancy. Ms. Rodenbaugh claims the inspector took it upon himself to hire an engineer. The inspector and the engineer came up with the idea to put a whole new septic in her front yard and move the existing well into the backyard. Ms. Rodenbaugh also states that

her front yard is all dug up and had the inspector checked with the Health Dept., he would have found that the neighbors well is in their front yard, which keeps her from moving the septic there. An alteration that started at \$2800.00 will now cost \$35,000.00. She then states that she is sending a copy of this letter to her attorney for review of what can be done with respect to this outrage.

Carl then read a letter that Gary Landiak, the mentioned inspector, had written that stated he did not hire the engineer, but simply stated there was a need for one to perform a site evaluation and a design that complies with NJAC 7:9A. Texagon uses Pete Schneider of Soil Analysis Center and that is how Mr. Schneider was brought into this.

Mayor Hodson said, I don't understand, how do we go from a tank to all that, someone could have checked the records and found out about the neighbors well. Carl said that is the responsibility of the engineer. She has turned this whole thing against us. It was her choice to sell her house and her inspector who failed her system not us. If someone said they can fix it for \$2800.00, and she thought, I can fix it for that amount and it will be someone else's problem. The flip side of this is another situation that this Board has talked about; I am being criticized because I didn't have them get an engineer. This lady's problem is because she did get an engineer.

Rob asked about the part when Gary went there and forced them to stop working. Carl said that is not true. You heard in Gary's letter, replacement of systems is a common practice. We do this for people even where there is no room to do this. We've got tiny lots with a well and septic. Sometimes it has to go back in the same hole. When they dug it out Gary wanted to see the hole before they put the pit back in to see if there is drainage. They filled the hole with water and it didn't go anywhere. If you put the pit back in that hole, same problem. It is incumbent on Gary or me to fail this system.

There is a plan that has been approved; it will be in the side yard near the septic tank away from that hole, there will be a small field.

Carl then said anyone who criticizes the sewer pipe going down the street; they should be sitting here tonight listening to this scenario. It is repeated over and over and over. Rob asked if there is anything that could be done differently to make the homeowner aware of what Gary's roll is in the process. Carl said we could come up with some policy, a letter, which goes out with every application.

Mayor Hodson requested the Board to write a letter for Mayor and Council that reflects the BOH discussed this matter. Mayor Hodson then left the meeting.

Carl said we could come up with some kind of policy that goes out with every application form that says, due to discrepancy in soils or whatever, could result in an engineer of your choice, paid by you. We have to make sure the homeowner sees the letter. Rob asked if someone would make a motion, Thomas suggested the motion states to review the procedural practice and see if any changes are necessary to avoid misunderstandings. Thomas made the motion to review the procedures and modify as necessary. Seconded by Dennis. All in favor.

3. Dale Sloat: Dale said he put a simple website together and wanted to show the Board. He wants to get the Webmaster to get this on. The Board went to Carl's office to see the web page.

Dale thanked the Board and then left the meeting.

MEETING CLOSED TO THE PUBLIC

HEALTH OFFICER REPORT:

SANITARIAN REPORT:

BOROUGH NURSE REPORT:

REGISTRAR REPORT:

ANIMAL CONTROL: Hopatcong/Stanhope

ALL REPORTS: Jim made a motion to accept all reports, seconded by Dennis. All in favor.

SWAT:

CORRESPONDENCE:

1. Carl read a letter he had written to Mayor and Council for Scott Devito of Hilltop Rd. Mr. Devito is seeking approval for a TWA for a sealed septic system. The Board endorsed his application and wrote the letter to Mayor and Council.

OLD BUSINESS:

1. Fran Baldi/Practice Standards for Local Health Departments: Carl started by saying there are “Ten Essential Health Responsibilities”. Fran was diligent enough to go over this and put something together. Carl read each new standard and Fran then commented on how we compare with the new requirements.

This is a summary of the discussion of the “Ten Essential Public Health Responsibilities”

Item one: identify community health problems and item two: diagnose and investigate health problems.

- As a health dept. we have two systems of identifying problems. The formal system that involves communicable disease reports to the State, environmental and animal complaints, health threats and the use of community health resources. The informal system, the Public Health Nurse uses to gather information about the population of our town.

Item three: empower people to maintain optimal health levels and item four: mobilize community partnerships.

- The Health Dept. has cultivated many partnerships so that we can run the many health screenings and clinics that help our population maintain their health.

Item five: develop policies and plans to support the community, this is an on going process the Public Health Nurse works on with every health activity.

Item six: enforce laws and regulations. Item seven: link people to the resources they need.

- The Health Dept. establishes and enforces laws regarding the safety of the community’s resources.
- The Health Dept. is connected with many organizations to keep the people in our community in touch with the resources they need.

Item eight: assure a competent staff.

- All personal in the Department have current licenses and participate in on going education.

Item nine: evaluate effectiveness of health services and item ten: research new solutions to health problems.

- Each screening/clinic is evaluated for the effectiveness and the Health Dept. is involved with many other counties to improve the services provided.

I feel our Health Department is meeting all of these items to the best of our ability at this time. Fran Baldi, Public Health Nurse.

2. “Just Inkin Tattoo”: Carl said he has a model ordinance from Andover Township. He passed out copies and asked everyone to look it over and see if there will be any changes.

NEW BUSINESS:

1. Parkside Deli: Carl started by saying the Deli is now open and is “Smoke Free”. It is working out fine. Carl said we ought to recognize him like we did Mario’s and Parma John’s with a resolution. Rob had the original resolution that was considered for the above mentioned “Smoke Free” establishments. Thomas made a motion discuss the resolution, seconded by Catherine. Thomas said we would strike the fourth paragraph as indicated. All in favor.
2. Rob asked if the Board wanted to consider sub-committee to look at the Governing Assessment Requirements and report back to the full Board at the September meeting. Carl said he would send a packet to everybody to look over to try to keep up with the pace. As far as the sub committee, Rob, Thomas and Dennis will communicate as to how and when they will meet.

Mariano made a motion to adjourn, seconded by Thomas. All in favor. Meeting adjourned at 9:55 pm.

Rosemarie Mitchell
Recording Secretary

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