

The regular meeting of the Board of Health was held in the Board of Health Building on Wednesday, March 26, 2008 at 7:30 p.m. Joel Servoss 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 AND POSTED ON THE BULLETIN BOARD MAINTAINED IN THE MUNICIPAL BUILDING FOR PUBLIC NOTICES.**

**ROLL CALL:**

**PRESENT:** Joel Servoss, Craig Bradley, Selma Reichert, Jim Vanderhoof, Thomas Forbes and Mariano Gianni. Phil Morlock, Health Officer and Rosie Mitchell, Recording Secretary also present. Rob Bond after roll.

**ABSENT:**

**MINUTES OF THE PREVIOUS MEETING:** Jim made a motion to accept the minutes, seconded by Thom.

**MEETING OPEN TO PUBLIC:** Frank & Rene Santagata of 2 Staten Trail present. Mr. Santagata said, we are currently having some problems for the last two years, it is getting unbearable. I have a deadly fear of cats and animals; I have brought down a number of complaints and have been here. I have put off coming to a meeting because I try not to cause any problems for anybody. It is getting to be a very, in my opinion, hazardous condition in my backyard. I can't use my backyard; I am very allergic to cats. We recently just last year bought new furniture for our back yard, approximately \$2,500 worth of furniture. The cats have ruined two of the cushions already. In speaking to the Animal Control person, who is very accommodating, has tried to appease me as best as possible, I am told people in town do not want animals trapped, that is what I have heard from a number of people. Licensing is something that has never been considered and keeping cats indoors is out of the question.

Mr. Santagata told the Board he compiled a little bit of information from other states and jurisdictions that have that kind of information where cats are not allowed be free. The bill has been passed, it is working. There are a number of reasons to get the cats off the streets. Why as a dog owner must I have my dog licensed, walking on a lead and not have it defecate or otherwise soil someone else's property when a cat can come into my yard or into my tomato garden or herb garden, defecate there and then I have the possibility of contracting a disease. This is something I will not tolerate anymore as a taxpayer. I don't think I should have to live like that. I think it is very well documented by other states and by other jurisdictions that cats are a hazard and I don't know why it has not been addressed by our town.

Joel said we are wrestling with this issue back and forth. Just recently we have received a notice from the State, there may be a law in the State that requires responding to complaints with cats. We are still looking for some legal advice on that. Mr. Santagata said he has a Heart trap, what is he supposed to do with the cat that he traps, he can't go near the cat. Estelle Klein said, I don't think you should be trapping cats, should you. She said there is no leash law for cats.

Mrs. Santagata said they are allergic to cats. Estelle said if you are allergic to cats, move to a penthouse apartment in NYC. Words were exchanged, Mr. Santagata said, if you keep approaching me like that ma'am I can have the Police over here for disorderedly person. Estelle said, I can't stand here like I am standing now? I am not approaching you in a violent way, call them right now.

An officer was called and came to the meeting. He asked the Chairperson if anyone needs to be removed from the meeting and the answer was, no.

Mr. Santagata then read some examples of laws regarding cats from other states. He then asked why we are not looking at this as remedies. Joel said, the State does that then advises us Statewide how the community boards of health should respond. Joel also added, I think at the conclusion of this meeting he'll be back there trapping. Mr. Santagata said, if you get the cats off my property, I'll provide the food for them until they are adopted.

Jim said it is on the Agenda for tonight, if you would like to stay and listen to it, you can.

**CLOSED TO THE PUBLIC**

**HEALTH OFFICER REPORT:** Phil went over his entire report. He then asked if there were questions.

1. Phil said he received a Site Visit Evaluation Sheet and confirmed preparation for this audit. The State Health Dept. is going to come out here and audit the Health Dept. It has never been done; it is based on new

standards. They sent about twelve pages of new material. If anyone is interested, stop by and see me, I will show you what is involved.

2. Rob asked about item # 5, water testing on River Styx Rd. The question was, was MTBE the only containment that was found? Phil said it was found in the one well that was in question, they tested seven homes and they all passed in that area. They all quote "met standard".

**SANITARIAN REPORT:**

**BOROUGH NURSE REPORT:**

1. Phil said, we will be working on the new immunization requirements for teenagers. We get the vaccine for nothing, we talked to our pediatrician, and we will expand this. The kids that are in High School and need these shots can come down here and we will give them the shot if they don't have insurance. Our only cost will be a slight pediatrician fee. It is sort of a feather in our cap that we are stepping up to do this. It makes life easier for everybody.

**HEALTH EDUCATOR**

**REGISTRAR REPORT**

**ANIMAL CONTROL:** Hopatcong/Stanhope

**SWAT:** NO REPORT.

**ALL REPORTS:** Thom made a motion to accept all reports, seconded by Jim.

**CORRESPONDENCE:**

1. Phil passed a letter around from the State stating they will be readopting the Performance Standards. Phil said he had an issue with this when they first adopted them. He said he views this as an "unfunded mandate".
2. Phil told the Board, there is a letter that was addressed to Richard Hodson as the Mayor but it actually went to Mayor Petillo concerning the cat situation. They did tell us they looked at the minutes from this meeting from the Webpage and they actually quoted some of the things that were said. If you read the letter very carefully you see apparently they did their homework.

**OLD BUSINESS:**

1. Trapping cats, discussion: Joel said, I don't think we have any choice here. It is a State regulation and we need to respond to citizens that have legitimate complaints. You just cannot say ok we are not doing it. Rob said, the letter claims that portions of Chapter 248 are in violation. Have we had our attorney look at that and confirm that that's indeed the case? Joel said, that needs to get looked at thoroughly.

Phil asked for the Board's blessing to proceed and at that particular point in time he will direct Dale to go out and start to trap cats where we have nuisance complaints.

Rob said there is still a question of capacity at the Pound and how does that impact our ability to deal with cat complaints. Phil said he talked with Dale about this and Dale said he will tell Phil when he is maxed out. Mariano made a motion to direct Phil to speak to our ACO and reinstitute, upon a complaint, to start picking up cats. Rob said his understanding was, we instituted a policy change because of the status of the Pound in terms of the number of cats. He thought it is at the discretion of the ACO and Phil to determine when they could start picking up cats again. There was a brief discussion, then Phil said he would ask for two things, a direction or motion to tell us to begin to picking up cats on complaints whether written or verbal for him to go out and two, to then contact the attorney to take a look at the Ordinance to bring it in line with what the State wants us to do. He wants direction. Rob said he will second the motion. All in favor.

Mariano made a motion to contact our attorney to look at the Ordinance, Chapter 248 as written, to put us in compliance with the State. Rob added to review whatever the State's comments were in this letter. Thom seconded the motion. Roll call, Joel, Craig, Selma, Rob, Jim, Thom and Mariano, yes. All in favor.

**NEW BUSINESS:**

1. Phil said he had an item that is not on the Agenda, it happened this very day. It is Resolution # 4-2008, refund for Soil Log fees in the amount of \$ 160.00. Joel read the Resolution in its entirety. Roll call, Joel, Craig, Selma, Thom, Rob, Jim and Mariano, yes. All in favor.
2. 2008 Budget: Phil said he operating on about \$ 3,000.00 less than last year and asked for the Board's approval on this, also Joel's signature. Jim made a motion to move the 2008 Budget, seconded by Thom. Roll call, Joel, Craig, Selma, Rob, Jim, Thom and Mariano, yes. All in favor.

3. Phil said he has some training for the Board members that is required by the State. We will do it in a couple of sessions in addition to this.

Jim made a motion to adjourn, seconded by Selma, all in favor. Meeting adjourned at 8:35 pm.

Rosemarie Mitchell