

The regular meeting of the Board of Health was held in the Health Department on Wednesday, October 24, 2007 at 7:30 p.m. Mariano Gianni called the meeting to order, and Craig Bradley 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: Mariano Gianni, Rob Bond, Jim Vanderhoof, Thomas Forbes, Joel Servoss and Craig Bradley. Estelle Klein was also present.

ABSENT: Selma Reichert.

MINUTES OF THE PREVIOUS MEETING: Jim made a motion to accept the minutes from the previous meeting. Rob had a question on the discussion on Pound improvements that was discussed last meeting and it ended with Estelle saying she would talk to somebody, and Rob was not sure, Jobless. Estelle said no, it was Chris Wrath from Roxbury, but that was put on hold when we discussed the price. Joel seconded the motion, all in favor.

MEETING OPEN TO PUBLIC: No comments.

CLOSED TO THE PUBLIC: Estelle will wait until Old Business to discuss the Animal Ordinance.

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

1. Phil said he attended a conference, the State Health Commissioner was the speaker. The meeting was about lack of funding in the State and obesity with young people today. The percentage is so high; this generation coming will be the first generation that will not live longer than the previous generation. This is a very serious problem.
2. Phil talked about the Powered Air Purifying Respirator (PAPR) Training with EMS and police at the Health Department on 10/02/07. Rob asked, are there guidelines in terms of when to use these things. Phil said you would use these if there were a biological emergency that is what they are for. Rob asked who determines that, Phil said it would probably be me.
3. Phil attended a Community Advisory Board meeting at Newton Memorial Hospital. There are some serious problems there. They get about 2 ½ million dollars a year in money for mental health. That has been cut. They are looking to go into 2008, 5 million in the red. He said he just wanted to point that out to the Board.
4. Phil said he submitted the Annual Budget today and he is happy to tell the Board that it is flat.
5. Thom thanked Phil for the heads up on the Topp's burgers. He said it really turned into much more than expected and when Thom was visiting Delaware, he actually bought some. Phil said his thought is, when someone gets a food license, if we have a problem, we have a broadcast fax machine and we are in the process of setting that up. We can fax to them immediately.

SANITARIAN REPORT:

BOROUGH NURSE REPORT:

HEALTH EDUCATOR:

1. Phil said in the year 2010, you will need a full certification for a food license. We are looking to see if we could get James Breiten and Kristen Wilsusen, Health Educator certified to do this so we can teach it right here in the Borough.

REGISTRAR REPORT

ANIMAL CONTROL: Hopatcong/Stanhope, Jim requested that the ACO include the mileage on the Hopatcong report. Phil will take care of this.

SWAT: No report.

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

CORRESPONDENCE:

1. Phil passed around a copy of Food Talk, a newsletter that is sent to food establishments courtesy of the Health Dept.
2. Roxbury is asking the Health Dept. for a proposal for cat and dog impounding. Phil said his feeling is, given the situation we have with the Pound, there is no use in this.

3. Phil talked about Methicillin-Resistant Staphylococcus Aureas (MRSA). There is a student in town that is being kept out of school for a couple of days. This is a suspect case of MRSA. Fran Baldi talked to the school and they are disinfecting the equipment. We are waiting for the doctor's prognosis.

OLD BUSINESS:

1. Trapping of cats discussion: Estelle said under General Control Regulations (Ordinance 248), here is what it says, No person owning or having the care, custody or control of any dog or cat shall suffer or permit such dog or cat to, and then it lists four things, and Estelle said she was wondering what four things apply to the cats. She said, you have to look under Vaccination to find regulations. She also said I am not interested in any State ordinances; State ordinances do not apply to us. Mariano asked why don't they. Jim said ours are better than the State. Estelle said, I don't know what is better but we go by our regulations, we don't go by the State regulations. Joel said, I would think ours would have to be in compliance with the State, we have to look at that. Jim added, we can't go lower than the State. Estelle said, we are an autonomous Board. Mariano said we have to follow the basic State rules. If we don't we could be held liable. If the law is there, we have to abide by it. Estelle said, you are going into an area where you shouldn't go. You can't abide by it, who are you going to hire to pick up all these cats and where are you going to put them. Mariano said that is a good question.

The Board members were given a copy of our regulations. Estelle pointed out, the last paragraph B. Vaccination, section E. The provisions of 248-15C that is the one that lists the four criteria.

Regulation. The provisions of §§ 248-15C (2), (3) and (4) and 248-18 of this chapter are made applicable to all cats. The Animal Control Officer shall not seize or impound any cat under § 248-15 C (2), (3) or (4) of this chapter unless and until a complaint has been signed and submitted to the Health Department by the complaining party. Estelle said, under 248-15C 1, 1 is not applicable to cats.

Rob asked, what is the point of contention. Estelle answered, # 4 in which we can impound a cat, Be or become a public nuisance or to create a condition hazardous to safety and health. She said I want to know what hazardous means; I want to know the definition of hazardous. A dictionary was brought to the table and Phil read the definition of hazardous, marked by dangerous, perilous, depending on chance, risky. Rob asked, what about the other part of the sentence, public nuisance. Estelle said public nuisance, means to her, more than one person. Mariano disagreed; he said no, one person is the public. It is not just a group of people, one person.

After a lengthy discussion on this, Mariano asked that this subject be tabled until our next meeting.

He also asked if Dale Sloat, ACO had copies of all signed complaints against cats and if yes, could they be mailed to all Board members to prepare for the discussion at our next meeting. Phil will talk with Dale on this.

NEW BUSINESS:

1. Resolution # 7-2007: Mariano read the resolution in its entirety. Refund of Flu Clinic fees. Jim made a motion to refund fees, seconded by Joel. Roll call, Mariano, Joel Thom, Rob, Jim and Craig, yes. All in favor.

Rob made a motion to adjourn, seconded by Craig, all in favor. Meeting adjourned at 9:05 pm.

Rosemarie Mitchell