

Town of Dover
Board of Health, March 8, 2004

The regular monthly meeting of the Dover Board of Health was held in Town Hall, 37 N. Sussex Street, Dover.

Board President Marie Hoffman called the meeting to order at 7:30 pm and announced that the meeting complies with the requirements of the Open Public Meetings Act and has been duly advertised and posted.

Secretary Donna Cook called the roll.

ROLL CALL

PRESENT: Marie Hoffman, Jean Cater, Constance Sibona-Foster,
Donna Cook, Christopher Chapman, Karen Vaughan,
Ramiro Gomez

ABSENT: no absences

ALSO PRESENT: Ronald Camacho, Alderman
Donald Costanzo, Health Officer

The Health Officer introduced to Ramiro Gomez, Alternate Member of the Board of Health to the Board. The Board welcomed Mr. Gomez.

President Hoffman called for a motion to accept the minutes from the February 2004 Regular Meeting of the Board of Health.

A motion to accept the minutes from the February 2004 Regular Meeting of the Board of Health was made by Donna Cook and duly seconded by Marie Hoffman.

CORRESPONDENCE:

1. Letter from the US Dept. of Health & Human Services to the HO dated 2/11/04;
Re: bioterrorism audio conference series.
2. Letter from Dr. Carlos Caprioli to the HO dated 2/13/04; Re: letter of resignation
from the Board of Health.

3. Letter from Princeton University to the HO dated 2/16/04; Re: infectious disease preparedness.
4. Letter from Warren Darnulc to the HO dated 2/25/04; Re: attendance at Board of Health meeting.
5. Letter from Ralph D'Aries, HO, Sparta Twp. to the HO dated 3/1/04; Re: Community Health Trust reorganization.
6. Letter from the NJDHSS to the HO dated 3/2/04; Re: PHPF grant approval notification.

President Hoffman asked the HO if there was any correspondence of significance.

The HO cited the letter from Dr. Carlos Caprioli announcing his resignation from the Board of Health. The appointment of a new member will be made by the Mayor.

And, the notification letter approving Dover's PHPF grant application. The application was modified to reflect Dover's direct agreement for health education services from Chilton Memorial.

OLD BUSINESS:

Mr. Warren Darnulc of 151 Grant Street was recognized by the Board of Health for his community service by keeping his neighborhood clean and beautiful. Mr. Darnulc was present with his wife and family.

Board President Marie Hoffman presented Mr. Darnulc with a framed proclamation honoring him for his dedication and service to the Dover community on behalf of the Board of Health.

The Health Officer (HO) distributed the monthly report to the Board.

Garbage tonnage for February 2004 was 415.52 tons; down from the same month one-year ago by 49.98 tons or 11%.

Garbage sticker receipts for February 2004 were \$1,650.50; down from the same month one-year ago by \$504.50 or 23%.

Connie Foster asked the HO if a warning notice was required before issuing a summons on a garbage complaint.

The HO stated that generally a warning notice was issued. However, if records indicate that warnings were previously issued, a summons can be issued without another notification.

In other old business,

At last month's meeting, the Board of Health introduced on first reading two (2) ordinances amending the fees the health department charges for services.

A motion to pass an ordinance on second reading of the Board of Health of the Town of Dover, County of Morris and State of New Jersey, amending Chapter 407 of the Revised General Code of the Town of Dover entitled "Food-Handling Establishments, Retail" was made by Marie Hoffman.

There was no discussion.

The motion was seconded by Karen Vaughan.

ROLL CALL VOTE. ALL AYES; NO NOES

A motion to pass an ordinance on second reading of the Board of Health of the Town of Dover, County of Morris and State of New Jersey, amending and supplementing Chapter 401 of the Revised General Code of the Town of Dover entitled "Fees" was made by Marie Hoffman.

There was no discussion.

The motion was seconded by Connie Foster.

ROLL CALL VOTE. ALL AYES; NO NOES

The HO also informed the Board that he amended the Public Health Priority Funding Grant (PHPF) application to reflect the direct agreement for health education services with Chilton Memorial as per their request. As mentioned earlier, the PHPF grant application was approved.

In other old business, the HO reported to Connie Foster that on February 10th, shortly after last month's meeting, her complaint with photographs of overflowing dumpsters at the Dover Hills Apartment complex were referred to the property maintenance department. They conducted an inspection and spoke to the property manager. However, on February 10th, when the property maintenance department conducted its inspection, the dumpsters were not spilling garbage and the area was clean.

On February 29th, Connie Foster commented by email that the dumpster area at Dover Hills was again littered. The matter was referred to the property maintenance department. Although at the time of inspection the dumpsters were not spilling garbage, the property manager was told to cleanup the area and render repairs to the fence. The property maintenance department stated that it will conduct regular inspections of the complex dumpster area in the future.

Connie Foster stated that she noticed that the dumpster was emptied on Monday.

Marie Hoffman asked the HO if the property maintenance department had given the property manager or owner of Dover Hills Apartments a written notice. The HO was not sure but that he would find out.

The HO gave the Board an update on Joann Tyler, the lady who is feeding the homeless at JFK Commons Park. This matter was brought before the Board by Connie Foster at last month's meeting. Ms. Tyler was recently cited by the Daily Record newspaper for feeding the homeless in Dover.

The HO stated that the case has attracted media attention including NJ Channel 12 news and CBC News NYC. Both outlets sent camera crews to Dover recently for interviews. Also, a representative of Senator Lautenberg's office called asking for information.

The HO explained that currently, Joann Tyler has done the following in response to the Health Department's request to get a food license:

- Submitted an application for a food license and appropriate check.
- Expressed willingness to cooperate the local authority and seek affiliation with a local church or social agency. She is presently attempting to find an agency kitchen to use.
- However, she has turned down an offer from Morris County Head Start to use their kitchen because of unacceptable hours of operation.

The fact that Joann Tyler has moved out of Dover to Mine Hill and, therefore, out of the jurisdiction of the Dover Health Department somewhat complicates matters.

Possible outcomes include:

- Joann Tyler affiliates with a licensed kitchen to become a legal licensed food establishment.
- Joann Tyler obtains a food license from Mine Hill and is inspected by its health department and thus obtains a Dover food license.
- Joann Tyler does not affiliate with a licensed kitchen nor obtains a food license from Mine Hill precipitating a summons and court action for operating a food establishment without a license and contrary to the NJ State Sanitary Code.

Connie Foster stated that the Town of Morristown handled a similar problem effectively and wanted to know what steps were being taken to enforce the law. If Joann Tyler is doing something illegally, then why isn't the law being applied in to her.

Alderman Ronald Camacho interjected by commenting on the status of this case. He summarized by saying that the Town wanted to give Joann Tyler ample time to comply with the law and to proceed carefully with consideration given to negative publicity.

However, the time allotted for compliance will end shortly and appropriate action will ultimately be taken.

Connie Foster expressed concern about the health, safety and sanitation issues associated with preparing food from a home kitchen that is not inspected and approved.

Alderman Camacho agreed and said that this was a concern shared by a lot of people.

Connie Foster made it clear that she was not against the homeless, but concerned about JFK Commons Park.

Chris Chapman stated that this was a sensitive issue and asked if the Town Attorney was providing guidance in the matter.

The HO explained that the case and the actions of the Health Department were under the review and guidance of the Town Attorney and the Administrator.

In another matter, the HO informed the Board that he gave Carolyn Blackman her plaque recognizing her for service on the Board of Health shortly after last month's meeting.

In other old business, Connie Foster mentioned that she noted that in 2003 a Clean Communities Grant for \$11,000 was obtained by Dover. However, in this year's budget she did not see it as a line item and questioned if an application for the grant was being made.

The HO stated that the Clean Communities Grant was primarily an allocation and, as a result, there was not a formal application. Once the allocation is determined for Dover for 2004, we will be informed by the State of NJ.

NEW BUSINESS:

Due to serious difficulties with the Town's budget, departments have been asked to reduce spending where possible. As a result, the Health Department will replace Peggy Edwards, the Registered Environmental Health Specialist (REHS) who recently left to take a new job, with a part-time REHS.

Marie Hoffman asked the HO if the position had been advertised. The HO stated that he wanted to wait until after the Board was made aware of the circumstances first. The health department has already received 2 informal applications for the position.

Connie Foster expressed concern about how all the work that needs to be done will be accomplished. The HO explained that the food inspections can be part-time and that he would also do some food related inspections when necessary.

Chris Chapman asked how much time the position would be contracted for. The HO responded that the part-time REHS will be contracted for 2 to 3 days per week to perform retail food inspections.

THE MEETING WAS OPENED TO BOARD MEMBERS WHO WISHED TO DISCUSS A PARTICULAR ISSUE.

Connie Foster raised the subject of the policy or procedure for nominating officers of the Board of Health at the reorganization meeting. Because the election of officers occurs so early in the year there is not enough time to get to know the membership. Ms. Foster asked if it is possible to change the time officers are elected until after new members get to know other members.

The HO stated that the election of officers is done according to established by-laws at the reorganization meeting and that he didn't think it could be changed. Alderman Camacho stated that the reorganization meeting was the legal designed time for the election of officers.

Chris Chapman asked if we had an alderman liaison to the Board of Health and stated that he felt a liaison was important. Alderman Camacho stated he was not present as an official liaison and explained that there were no liaisons. However, if issues were raised that were important, he would be there.

Connie Foster stated that she saw a Channel 12 news story about a senior's program on medication awareness. The program was conducted by a pharmacist and given to a senior's group in Parsippany. Ms. Foster asked the HO if a program like this could be done in Dover at the senior housing complexes.

The HO stated that the health department could do medication awareness programs for Dover's seniors. He will discuss this type of programming with the health educator.

Connie Foster suggested the programs could be held at Dover's two (2) senior centers.

PRESIDENT MARIE HOFFMAN OPENED THE MEETING TO THE GENERAL PUBLIC FOR COMMENTS

Jane Curtin introduced herself and stated that she agreed that a medication awareness program for seniors was needed.

Joan Bocchino, Princeton Ave., introduced herself and commended the HO on his handling of the issue of feeding the homeless at JFK Commons Park. Ms. Bocchino expressed her regard for the many hours of hard work and dedication of volunteers who have made improvements to the park and restored it as a true park with a playground and a gazebo for residents to use.

Ms. Bocchino cited an editorial published in The Citizen on 3/3/04 which gave a balanced opinion of the use of the park and the homeless issue. A copy of the editorial was handed out.

Lee Ann Cherunsik, 44 Jordan Terrace, introduced herself and stated her concerns about the appearance of streets and sidewalks throughout Dover. They are littered and unsightly in appearance. Ms. Cherunsik wanted to know what was being done about it.

The HO explained that the health department enforces ordinances that include most aspects of garbage and litter, including sidewalks. He showed Ms. Cherunsik a sample sidewalk notification in English and Spanish that is used during sidewalk inspections. The HO stated that with the melting of the winter snow, litter that was buried is now visible and unsightly.

However, Ms. Cherunsik stated that the problem was on-going and not just the result of the melting snow and that the general appearance of the streets and sidewalks of the Town were unsatisfactory. Ms. Cherunsik specifically cited the sidewalk in front of the Warren Street Thrift Shop.

Connie Foster said that a contributing factor to unsightly litter was from uncovered recyclables that spill from recycling trucks. Ms. Foster asked if the collection vehicle was covered to prevent spillage.

The HO stated that the truck had open compartments. Alderman Camacho asked the HO to call the recyclers and ask about covering the recycling trucks.

Alderman John Horan, 77 Fox Hill Drive, stated that the questions raised about garbage are a general concern shared by many. Alderman Horan asked the HO about the resources needed by the health department to effectively do the job of garbage enforcement. The HO suggested the possible need for more code enforcement officials to enforce garbage and litter laws.

Further discussion about what the Town can do to reduce garbage and litter prompted a comment by Karen Vaughan suggesting increasing awareness without being negative by educating residents and businesses.

Connie Foster asked what responsibility the road department had in cleaning the streets. Alderman Ron Camacho stated that the street department will clean up a problem when necessary.

Joan Bocchino stated that she keeps Princeton Avenue clean and felt that if everyone tied and secured their garbage bags, there would be less scattered litter. People use small, cheap plastic bags that break, spill and make a mess. Overflowing recycling containers is another factor contributing to unsightly garbage and litter. Residents need to be educated about the proper containment of garbage and recycling.

Upon completion of the public portion of the meeting, President Hoffman entertained **a motion to adjourn the meeting. A motion to adjourn the meeting** was made by Donna Cook and seconded by Marie Hoffman.

ALL AYES; NO NAYS

MEETING ADJOURNED