

Town of Dover
Board of Health, September 10, 2007

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.

President Marie Hoffman, Board President, called the roll.

ROLL CALL

PRESENT: Marie Hoffman, Irene Hansen, Carolyn Blackman,
Christopher Chapman, Sandra Scarneo

ABSENT: Constance Sibona-Foster, Donna Cook

ALSO PRESENT: Patrick Donofrio, Alderman
Donald Costanzo, Health Officer

President Marie Hoffman called for a motion to accept the minutes from the July 2007, regular meeting of the Board of Health.

A motion to accept the minutes from the July 2007 Regular Meeting of the Board of Health was made by Christopher Chapman and duly seconded by Carolyn Blackman.

ALL AYES; NO NAYS

CORRESPONDENCE:

1. Letter from Local 32BJ SEIU to the HO dated 7/24/07; re: record search request.
2. Letter from Susan Sahai to the HO dated 8/14/07; re: REHS job application.
3. Letter from Monica Collucci to the HO dated 8/23/07; re: Health Educator application.
4. Letter from The Tyree Company to the HO dated 8/27/07; re: environmental clean-up.

5. Letter from Sperian to the HO dated 8/28/07; re: pandemic preparedness planning.
6. Letter from Presby Environmental, Inc. to the HO dated 8/29/07; re: wastewater treatment.
7. Letter from Douglass Sclar, Esquire to the HO dated 8/30/07; re: discovery request.

President Hoffman asked if there was any correspondence to discuss. The HO mentioned the above-letter from Douglass Sclar requesting “discovery.” The health department has a pending court case regarding the keeping of numerous cats at 71 Garrison Avenue. Douglass Sclar is an attorney representing the defendant.

The board briefly discussed the matter of cats before moving onto old business.

OLD BUSINESS:

The Health Officer (HO) distributed a summary of Health Department activities for the past month and distributed meeting schedules and contact lists to members of the board.

The HO brought the following activities to the attention of the Board and discussed each activity briefly:

- Animal Control Activities: chickens, dogs and summons.
- Barry’s Luncheonette: water usage.
- Dollar Stores (4): contaminated toothpaste from China.
- Senior Citizen’s Picnic: 9/10
- 136 Park Heights Avenue: swimming pool creating a nuisance.
- “Pee Bombs” on W. Clinton Avenue.

Sandra Scarneo asked the HO what “Pee Bombs” were. The HO explained that they were plastic bottles containing urine that are discarded from motor vehicles onto the street. The board briefly discussed the nuisance/criminal aspects of this activity.

The HO updated the board on 71 Garrison Ave. where a summons was issued for having many cats. A trial date is set for 9/25. The defendant hired an attorney that was previously mentioned in correspondence.

At the request of the Board at its last regularly scheduled meeting in July, the HO drafted a proposed amendment of the retail food establishment ordinance that sets fees for licensing.

A copy of the draft amending Chapter 407, Article I, “Food-Handling Establishments, Retail,” Section 407-4 (B) entitled “Fees” of the Revised General Code of the Town of Dover was distributed to the Board for discussion.

A motion to introduce and pass on first reading an ordinance of the Board of Health of the Town of Dover, County of Morris and the State of New Jersey amending and supplementing Chapter 407, Article I, “Food-Handling Establishments, Retail,” Section 407-4 (B) entitled “Fees” of the Revised General Code of the Town of Dover, which reads as follows, was made by Carolyn Blackman and duly seconded by Marie Hoffman.

WHEREAS, the Board of Health has recommended several changes to Chapter 407, Article I, entitled “Food-Handling Establishments, Retail”; and

WHEREAS, the Board of Health has requested that said Ordinance be prepared to reflect an amended fee schedule.

NOW, THEREFORE, BE IT ORDAINED, by the Board of Health of the Town of Dover, County of Morris and State of New Jersey that:

Article I

SECTION 4. Subsection 4 (B) entitled “Fees” shall be amended as follows:

<u>Type of Establishment</u>	<u>Annual Fee</u>
a. Restaurant, hotel, café, tavern, luncheonette, diner, soda fountain, food market, delicatessen, bakery, or similar establishment:	
1. Total floor area less than 5,000 square feet	\$150.00
2. Total floor area between 5,000 and 10,000 square feet	\$200.00
3. Total floor area greater than 10,000 square feet	\$250.00
b. Food Vending Vehicle, Caterers	\$150.00
c. Day Care Centers, Social Clubs	\$ 50.00
d. Seasonal Agricultural Market	\$ 50.00
e. Flea Market	\$150.00
f. Temporary License	\$ 25.00

SECTION 5. All Ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

SECTION 6. If any article, section, subsection, paragraph, phrase, or sentence is for any reason held to be unconstitutional or invalid, said article, section, subsection, paragraph, phrase or sentence shall be deemed separable.

SECTION 7. This Ordinance shall take effect upon final publication as provided by law.

...following discussion

ROLL CALL VOTE: ALL AYES; NO NAYS

The HO will publish the above-ordinance that was passed on first reading. The ordinance will again be presented to the Board at its next regularly scheduled meeting on October 15, 2007, for second reading.

The HO informed the Board that a new clerk/typist was recently hired by the Town to help-out in the health department and the code enforcement department. The new employee's name is Erin Kent and she commenced work on August 13th. Ms. Kent works 3.5 hours per day in each department.

Before Ms. Kent can properly assist the registrar in issuing birth, marriage and death certificates, it is necessary for the Board of Health to officially appoint her as an "Alternate Deputy Registrar."

The HO asked the board for a resolution appointing Erin Kent as "Alternate Deputy Registrar" for a standard 3 year term.

A motion to appoint Erin Kent Alternate Deputy Registrar to a three (3) year term effective September 10, 2007 and to continue until September 10, 2010, was made by Sandra Scarneo and duly seconded by Christopher Chapman.

**ROLL CALL VOTE
ALL AYES; NO NAYS**

The HO distributed copies of the State of New Jersey's retail food establishment code as requested at its last regular meeting in July.

The Board also requested the HO to do an analysis of supplementary Registered Environmental Health Specialist time needed to perform additional inspections on higher risk food establishments.

The HO determined that there were approximately 50 restaurants in Dover characterized as high risk. One extra inspection plus one re-inspection translates into 100 inspections. The HO determined an average time of 2.5 hrs per inspection. Therefore approximately 250 hours of additional time was needed.

The HO concluded that approximately 250 hours at \$30 per hour would require \$7,500 to complete the requested task. The board discussed the issue at length. Sandra Scarneo asked if part-time candidates for this type of work could be searched for or recruited from area colleges. Students that are participating in work-study programs might offer their services as p/t health inspectors as part of their education.

This led to a discussion of qualifications for Registered Environmental Health Specialists. Marie Hoffman suggested that perhaps Ben Falco, the current p/t inspector might know of someone interested in similar work.

The Board concluded the matter with instructions for the HO to appropriate the additional funding needed for more hours of inspection time as discussed in the proposed 2008 budget when it is presented to the Board of Health for review.

Questions regarding the budget process were raised since this funding request would ultimately be brought before the Mayor's finance committee. Marie Hoffman suggested that the request for additional funding for more hours of inspector time is almost entirely offset by the Board's increase in licensing fees for retail food establishment. The HO will use this line of reasoning when the budget is presented to administration.

NEW BUSINESS:

The HO briefly announced and explained the following upcoming events and activities:

- Rabies Vaccination Clinic: 9/22 at Crescent Field
- Fit to Win – Mayors Wellness Campaign: 9/11 – 11/9 (employees weight loss program); Mayors Wellness Campaign in general.
- Influenza Vaccine delivered on-time. Clinic date to be forthcoming.
- Securing Youth's Promise: substance abuse program on 10/19.

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

Sandra Scarneo raised the subject of recycling by recalling information she mentioned to the Board several months ago regarding the significant declines in the amount of material recycled.

Ms. Scarneo brought to the board's attention a recent article published in the Star-Ledger on August 26th focusing on the decline in recycling rates. The article suggested that the Morris County Municipal Utilities Authority intended to enforce the state mandated recycling laws and go after big violators. The prime targets or big violators are schools, apartment complexes, businesses and shopping centers. The article reinforces the issue of diminishing rates of recycling.

On another subject, Sandra Scarneo also mentioned a recent newspaper article about New Jersey's new food code and its impact on bake sales such as farmer's markets where foods are baked and prepared at home. Under the new code, foods such as home made pies and cakes will be prohibited from sale at various types of public markets because they are prepared in homes where the kitchens are not inspected.

**THE MEETING WAS OPENED TO MEMBERS OF THE GENERAL PUBLIC
WHO WISHED TO DISCUSS A PARTICULAR ISSUE.**

No members of the general public were present.

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

ALL AYES; NO NAYS

MEETING ADJOURNED