

**TOWNSHIP OF MAHWAH  
BOARD OF HEALTH  
MINUTES  
May 10, 2016**

The regular monthly meeting of the Board of Health of the Township of Mahwah, held at the Municipal Offices, 475 Corporate Drive, Mahwah, New Jersey, was called to order at 7:35 PM by 2<sup>nd</sup> Vice-President, Adam O'Brien.

The Opening Statement was read according to the Sunshine Law and was followed by Roll Call:

PRESENT:           Mr. O'Brien  
                      Dr. DeMaria  
                      Mrs. DeSilva  
                      Mr. Wasson

ABSENT:            Mr. Harris  
                      Mrs. Mertz  
                      Mr. LaMontagne

PROFESSIONALS:  Mrs. Musella, Health Officer  
                      Mr. Mason, Attorney  
                      Mrs. Campbell, Secretary

**APPROVAL OF REGULAR MEETING MINUTES**

Moved by Mrs. DeSilva and, seconded by Dr. DeMaria to approve the Minutes of the Regular Meeting of April 12, 2016.

Mr. Wasson wished to know who would be taking legal action to recoup expenses incurred by the Township to bring 17 North Hillside Avenue up to Code. Mr. Mason said the Township has the authority to put a lien on the house, but it was unclear if that has taken place yet. Mrs. Musella circulated several pictures of the property that had been taken the day before by Mr. Maas. Some progress has been made; holes have been punched in the pool floor to prevent water from collecting, and some of the fallen trees and brush have been cleared. The [Building Code Official] noted that the rainy weather has slowed progress somewhat, but he is committed to seeing the entire matter resolved.

There being no further questions or discussion, the Minutes of the April meeting were unanimously approved.

**APPROVAL OF HEALTH ACTIVITIES REPORT**

Moved by Mr. Wasson and, seconded by Mrs. DeSilva to approve the Health Activities Report for April.

Regarding two guilty verdicts in the summonses issued to Ramapo Centre, Mrs. DeSilva inquired if these were repeat violations. Mr. O'Brien recalled, and Mrs. Campbell confirmed, that the prior violations were against a single shop owner in the same mall. That case involved disposing of chemical-laced waste water directly onto the parking lot macadam. The current summonses were written against the owner of the shopping center who is responsible for the dumpster areas.

Mr. Wasson wished to discuss our fowl ordinance and the restrictions Mahwah has in place. He inquired if Mr. Mason might address this later on, and Mr. Mason agreed.

There being no further questions or discussion, the Health Activities Report for April was unanimously approved.

**APPROVAL OF HEALTH OFFICER'S REPORT**

Moved by Mrs. DeSilva and, seconded by Dr. DeMaria to accept the Health Officer's Report for April.

Mrs. Musella provided additional details on several meetings that had taken place regarding developing a protocol to deal with new fowl license applicants. Moving forward, the staff will check the Block and Lot database to determine the acreage of the property. If there is less than the five acres required by Zoning code, we will not give them an application but instead refer them to the Zoning Board to apply for a variance.

Mr. Wasson asked if other municipalities have been canvassed to compare their restrictions to ours; he had recently spoken to a gentleman in North Haledon who had chickens on less than one acre of property. Mr. Wasson feels that Mahwah was much more rural when the current requirements were established, and perhaps they are no longer in "sync" with the growing trend toward sustainability.

Mr. Mason noted each town Zoning Board has the authority to legislate what works best in their municipality. Generally, Zoning Boards revisit their master plans every few years to determine if the codes in place are still relevant to the desires of the community and how the land is being used. If Mahwah residents desire change, it is incumbent upon them to make their wishes known to the Zoning Board. He further stated this must be the starting point; if a land use does not conform with Zoning, we cannot approve or license that use, even if the applicant complies with all of our code requirements.

Dr. DeMaria asked if the Board of Health could/should suggest such a change on behalf of those residents. Mr. Mason said this might be appropriate depending on the demand we are seeing for the use. Mrs. DeSilva asked if we could quantify an increase in demand. Mrs. Campbell said she believes that inquiries are up minimally; probably fueled by the "go green"/locavore zeitgeist. The staff now encourages residents who want to keep fowl but do not meet Zoning requirements to petition the Township Council directly. Unlike a zoning variance application, it does not cost the petitioner anything to address the Council. If the Council sees fit, they can direct the Zoning Board to look into it.

Dr. DeMaria said there is much to recommend keeping a few hens: they are vaccinated just once a few days after birth, they take up very little space, eat scraps from your kitchen, and lay an egg every day or so. As pets, they have a lot of personality and are very social.

Mr. O'Brien requested additional information about the Mahwah Gulf Conditional inspection on April 15 and the resulting consults with Mrs. Homler. Mrs. Musella stated they were only making coffee, but that activity is currently suspended due to issues with their water. Mrs. Musella believed that water coming from the tap was brown. It is being investigated and the water being tested.

Mrs. Musella provided a synopsis of the information provided at the Mosquito-Borne Disease Conference held on April 28<sup>th</sup> at Hackensack Hospital Fitness Center in Rochelle Park. The focus, of course, was on controlling mosquito breeding and the local health jurisdiction's role in 1) case management of locally contracted Zika cases, 2) education, and 3) bite prevention.

Mr. O'Brien requested if we could post Zika information on the Township website. Mrs. Musella said that our Health Educator is working on this right now. We will likely post links to the CDC and State agencies; much of the information is dynamic and changing daily. More static information (i.e. general information regarding preventing breeding pools and bites) will be produced in printed format.

Mrs. Musella noted that women of child-bearing age who have travelled to affected areas should be tested for the virus. College students who may have travelled for spring break (and often engage in high risk behaviors) should also be tested and are a target group for education.

Our Health Educator, Erica Abbruzzese, also made a presentation at Norfolk Village this month and will also be speaking to the Mahwah CERT volunteers at the request of CERT Coordinator, Allen Becker.

There being no further questions or discussion, the Health Officer's Report for April was unanimously approved.

#### **BILLS**

Moved by Dr. DeMaria and, seconded by Mr. Wasson and, unanimously approved by all present to pay the Bills for April.

#### **REPORT OF LIAISON TO MAYOR AND COUNCIL**

No report; Mr. LaMontagne absent.

#### **REPORTS OF STANDING COMMITTEES**

No activity.

#### **REPORT OF ATTORNEY**

Mr. Mason reported that he had been asked to develop a written protocol for the staff when dealing with hoarding situations in condominiums. This was predicated by a request from an attorney who is representing Society Hill I and is asking us to institute legal action against one of their unit owners.

Mr. Mason had a conversation with said attorney to determine what recourse the Association had under its own rules and covenants.

Having represented a number of condominiums over the years, including many right here in town, he understands that many of their rules govern behaviors and conditions that exist on the exterior or common areas of the property. Conversely, they have few rules that address issues arising within individual units and so, they turn to the municipal governing body to address them.

Mr. Mason's assessment is that any government intervention would have to be initiated by the Fire Inspector for fire or safety concerns. Beyond that, (and absent the presence of vermin, insects or other public health concerns) we are probably limited to providing referrals to agencies that can help with mental illness. Mr. Mason advised the attorney at Society Hill that he would discuss the matter with the Board of Health and get back to him.

Mrs. Musella and Mrs. DeSilva agreed that hoarding is problematic in that it is really a private issue and we cannot force ourselves into someone's home and mandate how they live their life. Mrs. Musella reiterated her position that hoarding is a mental health issue and falls under the auspices of social work. Even then, social service agencies (i.e. Adult Protective Services) cannot foist their assistance on an unwilling client.

Mr. O'Brien spoke to the recidivist component of hoarding. He said that no intervention will have a lasting effect unless the individual with the problem truly wishes to change. Mr. O'Brien has an acquaintance who is an expert on hoarding, and he offered to solicit a presentation from her on the subject. The Members endorse this idea.

Mr. Mason made note that the attorney's request had been passed through many of the municipal departments before landing in the Health Department's "lap." Mrs. Musella indicated this was not unusual. Not having social workers on staff, many municipalities end up employing a patchwork of their available resources and personnel to address these situations. She opined that the attorney should urge the Association to address the issue in their own rules and regulations.

Mr. Mason will devise a guidance document for these situations and send it to Administration for review. In this way, all Departments will be operating under the same guidelines. Mrs. DeSilva suggested that Mr. Mason postpone writing the document until after the hoarding presentation has been made. Mr. Mason agreed.

**CORRESPONDENCE**

None.

**OTHER BUSINESS**

Mr. O'Brien advised that he had contacted the director of media relations at St. Joseph Hospital to request a presentation on opiate addiction. He pressed for a program geared toward licensed health care providers encouraging them to reduce the number of opiate prescriptions they are writing. In this way he hopes not to duplicate the efforts of the Mahwah Municipal Alliance which has already hosted programs for parents and teachers. Attendees (and additional presenters) can be solicited individually, through State and Local medical boards or associations, and through hospitals. Continuing Education Units will be offered as an incentive to participate.

Mr. O'Brien has a target date of November in mind and would like to schedule an evening session at the Sheraton. Once he has a primary speaker on board, Mr. O'Brien will also approach the Mahwah Municipal Alliance to solicit their involvement.

Mrs. Musella distributed flyers announcing a free biometric screening program that NWRHC will be co-sponsoring. The event will take place on May 18<sup>th</sup> from 5pm - 8pm in their Waldwick office.

There being no further business, a motion to adjourn at 8:10pm was made by Mrs. DeSilva and, seconded by Mr. Wasson and, approved by all present.

The next meeting is scheduled for June 14, 2016 at 7:30pm.

Respectfully submitted,

Marianne Campbell  
Secretary