

**TOWNSHIP OF MAHWAH
BOARD OF HEALTH
MINUTES
February 14, 2017**

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 8:00PM by President, Sydney Harris.

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

PRESENT: Mr. Harris
 Mrs. Mertz
 Dr. DeMaria
 Mr. LaMontagne
 Mr. Wasson

ABSENT: Mrs. DeSilva
 Mr. O'Brien

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

APPROVAL OF REGULAR MEETING MINUTES OF DECEMBER 13, 2016

Moved by Mr. LaMontagne and, seconded by Dr. DeMaria to approve the Minutes of the Regular Meeting of December 13, 2016.

Referencing the discussion of violations at Sonny & Tony's Restaurant, Mr. LaMontagne inquired if all issues had been addressed. Mrs. Homler responded affirmatively; a new grease trap had been installed, eight employees took the Spanish version of the Food Handler course and the balance of the problems had been abated.

There being no further questions or discussion, the Minutes of the December 13, 2016, Regular Meeting were unanimously approved.

APPROVAL OF DECEMBER 2016 HEALTH ACTIVITIES REPORT

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

Regarding Nonna's and the numerous summonses they were issued, Mrs. Mertz queried if we would increase the frequency of their inspections. Mrs. Homler replied she is trying to schedule inspections for all establishments [that have demonstrated disregard for and/or inability to comply with Code] at least three times yearly. She is also rotating the inspectors visiting those establishments over the course of the year. Mr. LaMontagne asked if two full inspections each year was the norm. Mrs. Homler said yes, except in the case of non-profits and establishments selling only pre-packaged goods. These are only scheduled once per year.

Mr. Wasson asked Mrs. Homler to explain the situation with the defendant, Caryn Brennan, who had been issued a second set of summonses for not licensing her dogs.

Mrs. Homler related that the situation is problematic. Ms. Brennan's dog was involved in a bite situation which led to the discovery of licensure issues with both of her animals. Ms. Brennan did not cooperate with Mrs. Homler or Tyco Animal Control Officers in the bite/quarantine procedures and did not comply with an abatement order to license her animals. Summonses were ultimately issued for two unlicensed dogs.

After an original Failure-To-Appear, the defendant did come in and pay the fines on the day of her rescheduled appearance and, so, did not have to come to Court. However, she also did not license the dogs. A second set of summonses were issued and even though the Court's letter to Ms. Brennan indicated that her appearance was mandatory, the violation itself is listed as a "payable" offense. When Ms. Brennan appeared at the Violations window the second time, the clerk accepted her payment (this time in excess of \$300). Again, she did not have to appear in Court and, again, she did not license the dogs.

As at February 12th, the dogs are still not licensed. Following Mrs. Musella's directive, Mrs. Homler left a detailed message on Ms. Brennan's voice mail, but Ms. Brennan has not responded. Mr. Mason advised Mrs. Homler to call the woman's veterinarian to verify the vaccine status of the animals. If the animals are currently vaccinated against rabies, additional summonses can and should be issued for non-licensure. If the vet cannot (or will not) divulge that information, our options are to obtain a bench warrant for the arrest of the owner and/or to impound her animals.

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

APPROVAL OF JANUARY 2017 HEALTH ACTIVITIES REPORT

Moved by Mr. Wasson and, seconded by Dr. DeMaria to approve the Health Activities report for January, 2017.

Mr. Harris asked if the summons issued to a Mr. Shakarjian had been satisfied. Mrs. Homler noted this situation began similarly to Ms. Brennan's but had a better ending. His dog has been vaccinated and licensed, and Mrs. Homler advised the Court his violation was abated.

Mrs. Homler then advised the Members that Tyco Animal Control Officers are enforcing muzzling of quarantined dogs on condominium properties due to the close proximity of homes and entranceways. However, the owner of a dog in Ridge Gardens that was involved in a serious dog-to-dog altercation was refusing to comply. She is concerned that muzzling her dog while walking it will leave her animal defenseless in the event of an attack by another pet or wild animal. Mrs. Homler is concerned that if enforceable this rule should apply to apartment complexes and neighborhoods with tight property constraints as well.

Dr. DeMaria explained that dogs which have been legally declared Potentially Dangerous must be muzzled when outdoors. Condo Associations may be free to enforce their own rules, including muzzling but stated animals on leashes should already be controlled. Properly leashed and separated, they should have no opportunity for interaction with each other. Further, the chance of a wild animal approaching a human and a pet together within the confines of a condominium community was probably very small.

On this topic, Mrs. Musella asked Mrs. Homler to announce a rabies prevention program she was coordinating with Tyco Animal Control. Mrs. Homler advised that on Tuesday, February 28, 2017, at 7:00pm they will present a slide-show and discussion for the community at Ramapo Brae off of Stag Hill Road. The program emphasis is on living safely alongside wildlife. We have had several issues in this community including the feeding of feral cats and wildlife, one of which culminated in the potential rabies exposure of up to twelve individuals. Fortunately, this did not come to pass as the biting feral cat was captured and its rabies test came back negative. It was, however, a loud wake-up call that education was needed.

Mrs. Mertz asked if Mrs. Homler would forward her a copy of the flyer so she might distribute it within the schools. Mrs. Homler agreed.

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

APPROVAL OF DECEMBER 2016 HEALTH OFFICER'S REPORT

Moved by Mr. Wasson, and seconded by Mr. LaMontagne to approve the Health Officer's Report for December.

Mrs. Mertz inquired if the delays in Mr. Grotheer's payroll had been resolved. Mrs. Musella was relieved to report that the Mr. Grotheer had finally been compensated for the payroll period in question [November 15 - November 30] during January. Nonetheless, she was incredulous at the time and effort it required to make that happen.

Mr. Harris asked for more information on conversations regarding a potential dog canvass. Mrs. Homler explained that Tyco Animal Control has already submitted a proposal to the Business Administrator to do an animal canvass. Animal control officers will go door-to-door, not conducting a census per se, but to determine if the animals found are all licensed. Condominiums in particular demonstrate poor compliance with our licensing laws.

Mr. Mason asked Mrs. Homler if she would consider contacting the property managers of each of the condominium associations to enlist their help in providing notice to their residents. Mrs. Homler is amenable. She noted that Mrs. Tyler has spoken about petitioning the Council to amend the Township's animal control ordinance to make apartment complex owners and Condominium Associations responsible for enforcement of these regulations on their properties. Mrs. Tyler's experience is that for every complaint or quarantine she goes on in a condominium complex, she discovers ten more animals that are not licensed.

Mr. Mason continued that notification to the property managers should state that the Board of Health will strictly enforce licensing of all cats and dogs. The letter should also recommend that they update their own Rules and Regulations to include mandatory licensing.

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

APPROVAL OF JANUARY 2017 HEALTH OFFICER'S REPORT

Moved by Mr. Wasson and, seconded by Mrs. Mertz to approve the Health Officer's Report for January.

Mr. Harris asked Dr. DeMaria how rabies testing was accomplished. Dr. DeMaria responded that the brain was tested by the State lab.

She stated that the owner of any animal that was being euthanized (for any reason) had to sign a statement certifying that the animal had not bitten anyone in the previous ten days. Mrs. Homler said that quarantining an animal precludes the need to put it down. If a biting animal is still healthy ten days after a bite incident, that animal did not have/could not transmit the rabies virus.

Mr. Wasson inquired as to the duration of immunity after an animal receives rabies vaccination. Dr. DeMaria responded that some studies suggest adequate titers can be maintained as long as six to eight years provided an animal receives proper initial dosing. This did not hold true for all animals in the studies so the vaccination schedule is significantly shorter.

Mrs. Homler stated that Rockland County, New York, immunizes ferrets along with dogs and cats at their clinics. Dr. DeMaria said that any mammal could contract rabies but wouldn't have thought ferret ownership was so prevalent as to warrant mandated inoculation. She did know that ferrets were illegal in New York City.

Mr. Mason asked if health certifications had been received for the horses on a farm that has been non-compliant in the past. Mrs. Musella confirmed that the farm was on Tyco Animal Control's radar.

Mrs. Homler stated that Mrs. Tyler had actually been on the property earlier in the day. She reported that the owner had purchased a new tractor and had finally installed previously purchased electric heaters in the water troughs.

Mr. Mason then asked for details about a fire occurring at Nagoya Restaurant. Mrs. Homler related that the fire began in the early hours of February 8th. Freshly cooked panko (used in tempura dishes) which had been placed on a rack to cool overnight had self-ignited. The smoke and flames set off the fire alarm and overhead sprinkler.

In the course of the investigation, our fire and electrical inspectors were upset to find that the ceiling above the restaurant was being illegally used to store all manner of restaurant supplies, food staples, paper goods and holiday decorations. The inspectors also found illegal extension cords and lighting fixtures. The stored items were moved to a commercial storage facility.

The electrical panel was completely burned and had to be replaced, and significant quantities of food had to be destroyed due to the prolonged electrical outage. The restaurant was able to re-open in the late afternoon on Friday, February 10th.

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

BILLS

Moved by Mrs. Mertz and, seconded by Mr. LaMontagne and, unanimously approved by all present to pay the Bills for January.

REPORTS OF STANDING COMMITTEES

No activity.

REPORT OF LIAISON TO MAYOR AND COUNCIL

Mr. LaMontagne reported that he attempted on two occasions to meet with the new Business Administrator, but was unsuccessful. He requested that Mr. Harris send a letter of introduction to Administration and the Township Council as had been done after his original appointment.

Mrs. Campbell will craft a letter for Mr. Harris' signature and will also prepare additional copies of our December 2016 Health Activities Reports for Mr. LaMontagne to distribute to the Council Members and to Administration.

Mr. Harris felt it would be beneficial for Mr. LaMontagne to attend a Council meeting and to introduce himself. At that time he could offer to field any questions they might have about our activities, and also extend an invitation for any Councilperson to attend our meetings.

REPORT OF ATTORNEY

Mr. Mason had an opportunity to review the Public Health Nursing Services contract from Health Awareness Regional Program for 2017. It is consistent with the 2016 contract and reflects only a nominal increase in the contract price.

Mr. Harris asked if the staff was satisfied with the services being provided. Mrs. Campbell replied that her interaction with the agency has decreased significantly since the Board outsourced the Child Health Conference to Waldwick and our Health Education Services to Northwest Bergen Regional Health Commission. She does find the

current public health nurse whom HARP assigned to run our Adult Blood Pressure Clinics to be pleasant, accessible and responsive.

Mrs. Homler noted that she still collaborates with Joanne Wendolowski, RN when investigating cases of elevated blood lead in children and issues regarding communicable diseases.

In her position as a Township school nurse, Mrs. Mertz was pleased to have experienced an improvement in communication but ceded any general assessment of the agency to the staff who worked regularly with them.

Mr. Mason noted that the contract allows for a maximum number of nursing hours, and their activities are accounted for in their reports. If the Board has further questions, a representative from HARP can be invited to discuss their activities just as has been done in the past.

CORRESPONDENCE

None received.

OTHER BUSINESS

Prior to approving an agreement with Waldwick, Mrs. Musella wished to apprise the Members of an emergent issue: The nurse who for years ran the Child Health Conference there retired abruptly in January. Because of this development and until a replacement is found, no CHC has been scheduled for February. The Borough of Waldwick is currently negotiating with NWBRHC to supply the service in its entirety, but nothing has been finalized.

In particular, Mrs. Musella wished to let Mrs. Mertz know that if any immunization issues arise in the schools, the nurses may contact her directly. She also asked Mrs. Mertz to spread the word to the other school nurses as she is not confident this information has filtered down to them. Mrs. Musella expects that the next Child Health Conference will be scheduled in March.

Resolution 2017-05: Interlocal Agreement with Waldwick for CHC

Motion: Dr. DeMaria

Second: Mr. LaMontagne

Roll call: 5 Ayes, 2 Absent

Motion carries.

There being no further questions or discussion, a motion to adjourn was made at 8:55pm by Mr. LaMontagne, with a second by Dr. DeMaria and, unanimously agreed to by all present.

The next meeting is scheduled for March 14, 2017, at 7:30pm.

Respectfully submitted,

Marianne Campbell
Secretary