

**TOWNSHIP OF MAHWAH
BOARD OF HEALTH
MINUTES
May 9, 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 7:30PM by 2nd Vice-President, Edie DeMaria.

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

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

ABSENT: Mr. Harris
 Mrs. Mertz

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

APPROVAL OF REGULAR MEETING MINUTES

Moved by Mrs. DeSilva and, seconded by Mr. LaMontagne to approve the Minutes of the Regular Meeting of April 11, 2017.

Mr. O'Brien referenced the discussion concerning Tyco's desire to hold condo associations and apartment complex owners responsible for the licensing of pets on their properties. He stated that his own association moved voluntarily to create a registry, and it was defeated soundly by the owners. The failure, in part, may have been due to the \$50 charge they would institute to cover the cost of the record keeping. Mrs. Musella observed that it was Tyco's call as to how far they wished to pursue the issue with the Council, but she stated the potential for fees had not been considered.

There being no further questions or discussion, the Minutes of the April 11, 2017, Regular Meeting were unanimously approved.

APPROVAL OF HEALTH ACTIVITIES REPORT

Moved by Mr. Wasson and, seconded by Mr. O'Brien to approve the Health Activities Report for April.

Mrs. DeSilva questioned the difference in numbers of animals quarantined and released. Mrs. Campbell explained that there is often a small discrepancy in the numbers on the Health Activities Report; quarantines begun during the [last 9 days] of the month will not be released until the following month.

Mr. LaMontagne asked why food had to be destroyed twice in one week at the Mason Jar. Mr. Maas explained that a Citizen's Complaint had been received from a patron who ate there over the weekend and who believed he got sick from the food. A complaint investigation was made the Monday after the alleged incident, and it was discovered that a six-drawer refrigeration unit under the grill was not maintaining proper temperatures.

By Friday afternoon, Mrs. Homler had not received a promised confirmation that the unit had been repaired or replaced and went back to perform a Spot Check before the weekend. The unit had not been repaired, was found to be in use, and the food inside it was registering in excess of fifty degrees. Mr. Maas was called in to assist with the inspection and voluntary destruction of food. A new unit was placed on order at that time and since then has been installed. Other equipment has also been ordered.

Mr. Wasson questioned an abatement notice issued for a chipped pot rack at Mason Jar. Mr. Maas explained these are hanging racks installed over a food preparation area, and the paint chips can fall into food product. Repair or replacement is at their option.

Mr. O'Brien inquired about a substantial fine issued to a defendant for feeding wildlife. Mr. Maas explained that this was the resident's second conviction on this charge, and the prosecutor requested the maximum fine permitted under our Code.

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

APPROVAL OF HEALTH OFFICER'S REPORT

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

Mrs. DeSilva questioned if reports of potential meningitis and TB cases had been confirmed. Mrs. Musella responded that the meningitis case had not; Bergen County was handling the TB case as they receive grants to perform that function for all municipalities. While she had not been advised on the status of this particular case, she assured the group that tuberculosis is taken very seriously. Health Officers are authorized by law to order the arrest of any person with confirmed tuberculosis who does not report for or refuses required treatment.

Mrs. Musella then advised that a press conference was called on Saturday, April 8, regarding potential contamination at the Police and Fire Academy. She had not been notified or consulted prior to the announcement; however, she did correspond with Mahwah Councilman Rob Hermansen and the County Health Officer, Hansel Asmar, after the fact. The DEP had received a complaint about spent shell casings which had accumulated to the point where lead pollution was a concern.

Since there are no open or active wells in the area, it does not appear that potable water contamination will be an issue. This is a County facility so they are coordinating the removal of the debris and establishing a maintenance plan to prevent it from happening again. The Mayor chose to order testing of the Township Wells out of an abundance of caution.

Mr. O'Brien asked about procedural problems concerning the Bolla Market summonses. Mrs. Musella confirmed that the issue (non-licensure) has been abated, but the summonses will likely need to be rewritten in the name of the corporation. Mr. Maas further explained that since Bolla had just opened their first facility (on Route 17 South) last year, they could not plead ignorance to the law.

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

BILLS

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

REPORTS OF STANDING COMMITTEES

No activity.

REPORT OF LIAISON TO MAYOR AND COUNCIL

No activity.

REPORT OF ATTORNEY

Mr. Mason reported that he had reviewed and provided comment on correspondence regarding the lead contamination complaint at the Fire Academy.

He further advised that Mrs. Homler had contacted him regarding the dismissal of two cases against food establishments for non-licensure. Mr. Mason surmises this may have been a casualty of the transition to a new judge and prosecutor. He was able to meet with the new prosecutor, Mr. DeMarco, to introduce himself and to discuss our sentencing recommendation letter which has been an effective tool for us and for the court. Mr. Mason is confident the procedure will continue to serve us well in the future.

CORRESPONDENCE

To: Mahwah [Board of Health] From: George Surgent Date: 4/19/2017

OTHER BUSINESS

Mrs. Musella announced that Northwest Bergen Regional Health Commission was celebrating its sixtieth anniversary. To commemorate that milestone and to honor the local Boards of Health that they serve, invitations were sent via email to each of the Members for an evening celebration on June 19th, in Waldwick. She asked any Member who had not received an invitation to please contact her.

There being no further questions or discussion, a motion to adjourn was made at 8:05pm by Mr. LaMontagne, with a second by Mrs. DeSilva and, unanimously agreed to by all present.

The next meeting is scheduled for **June 13, 2017**, at 7:30pm.

Respectfully submitted,

Marianne Campbell
Secretary