

**TOWNSHIP OF MAHWAH  
BOARD OF HEALTH  
MINUTES  
October 10, 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 President, Sydney Harris.

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

PRESENT:           Mr. Harris  
                      Dr. DeMaria  
                      Mrs. DeSilva  
                      Mr. O'Brien (7:50pm)  
                      Mr. Wasson

ABSENT:           Mrs. Mertz

PROFESSIONALS:  Mrs. Musella, Health Officer  
                      Mrs. Campbell, Secretary  
                      Mr. Mason, Attorney  
                      Mrs. Homler, REHS  
                      Mr. Ervin, Township Council Liaison

**APPROVAL OF REGULAR MEETING MINUTES**

Moved by Mr. Wasson and, seconded by Mrs. DeSilva and unanimously agreed by all present to approve the Minutes of the Regular Meeting of September 12, 2017.

**APPROVAL OF HEALTH ACTIVITIES REPORT**

Moved by Dr. DeMaria and, seconded by Mrs. DeSilva to approve the Health Activities Report for September.

Mrs. DeSilva asked how many unlicensed cats were being harbored at a resident's home. Mrs. Campbell believed there were originally in excess of twenty seven, but many of them have been removed by Tyco. Mrs. DeSilva further inquired if the cats were feral. Mrs. Campbell

stated that they were living within the home but were neither licensed nor vaccinated. Initially, the resident was working with Tyco but has since become uncooperative and is threatening legal action against both Tyco and the Township for appropriating her animals.

Mrs. DeSilva was curious about a 'body art' webinar that Mr. Maas participated in since the Board of Health prohibited tattooing years ago. Mr. Maas explained that 'micro-blading', a semi-permanent cosmetic tattoo, was one of the main topics covered. The Department of Community Affairs prohibits owners of beauty salons from adding this procedure to their service 'menu'. Micro-blading can only be licensed in a separate facility where traditional beauty culture is not practiced.

Mr. Wasson asked how the Township would defend itself against a business owner seeking a license for a tattoo shop. Mr. Ervin endorsed the low-tech response that it was simply prohibited by current ordinance. If enough people challenged the ordinance, then perhaps we would have to take another look at it.

Mr. Harris asked for a synopsis on the Mahwah Day activities. Mrs. Musella shared Mrs. Homler's opinion that the day went well, and the boardwalk-styled 'claw machine' which was purchased to draw in participants was a big hit with the children and their guardians.

Mr. Mason asked if a summons issue with Sparkling Pools was resolved. Mr. Maas responded yes, and subsequently they were found guilty in court and fined for each offense.

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

**APPROVAL OF HEALTH OFFICER'S REPORT FOR SEPTEMBER**

Moved by Mrs. DeSilva and, seconded by Dr. DeMaria to approve the Health Officer's Reports for September.

Mr. Harris requested specifics on the problems with one of our delicatessens that culminated in a Conditional rating. Mrs. Musella stated that no one in the establishment was currently certified in safe food handling and also did not have a Certified Food Manager.

Mr. Maas said all of the staff was brand new and could not demonstrate knowledge of food safety. There were also problems with equipment and

other repeat violations for which the establishment had already been rated Conditional in January. Mrs. Musella stated that for these reasons an Administrative Hearing will be scheduled with the owner to discuss the violations and devise a plan to bring the establishment into compliance.

Mrs. DeSilva was concerned that the establishment was not shut down if it was out of compliance. Mrs. Musella stated that a Conditional rating does not warrant a closure, and we have to give owners time to abate any issues. Unless there was an imminent hazard such as an infestation of vermin or roaches, we work with the owner.

Mrs. Campbell noted that certain unsafe conditions can be abated immediately, for example destroying food that the operator willingly or unwittingly allowed to become temperature abused. Mrs. Musella confirmed that the loss of product and the reinspection fee imposed act as incentives to correct the root problem why these things happen - lack of knowledge and certification in food safety.

Mr. Harris asked what issues were present at a second deli that was rated Conditional. Mr. Maas said there were repeat violations here as well, and the owner is working to address them.

Mr. Maas then demonstrated the different thermometers we use to determine if food temperatures in our establishments are in compliance with the standards set by the State Code. He also explained how the State produced a guidance document in 2009 for restaurants to use during a power outage or other emergency. It provides very specific instructions designed to prevent food-borne illness. Mr. Maas also distributed a copy of a Voluntary Food Destruction form that the owners must sign when food that has been compromised is thrown out.

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

### **BILLS**

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

### **REPORTS OF STANDING COMMITTEES**

There being no reports from Standing Committees, Mr. Harris took a moment to thank Mr. Ervin for accepting the Council Liaison position

and encouraged him to present this body with any questions or concerns that the Council may have regarding our activities.

Mr. Ervin stated he was pleased to oblige and, of course, present any obstacles or concerns we are addressing to the Council.

#### **REPORT OF ATTORNEY**

Mr. Mason reported that he had met with both Mr. Maas and Mrs. Homler to develop a protocol for issuing summonses. In the past, summonses have been written to the owner of the business or the manager in charge of the location as declared on their license application. This presents problems when the owner is a corporation in another state or when the on-site manager has no legal authority to address the violation. Several summonses had to be voided and reissued in this past year for these issues.

Mr. Mason will be reviewing all of our license applications to ensure that we are obtaining the contact information of a responsible party (as designated by the owner) who will have the authority to address any violations.

It is likely that our Public Recreational Bathing License applications will be exempt from this change. The current protocol of writing summonses in the name of the Certified Pool Operator (whom each hotel or condominium is legally required to obtain to professionally manage those pools) has been very effective.

Mr. Mason then advised that he had a follow-up meeting with the Business Administrator regarding a personnel issue and will provide details on this in Executive Session.

#### **CORRESPONDENCE**

None.

#### **OTHER BUSINESS**

Mr. O'Brien advised that he had emailed Mr. Harris and Mrs. Musella presenting a program called "Stop The Bleed". Hemorrhagic bleeding is the number one cause of death in traumatic injuries, and this

program provides the techniques to prevent it. Rolled out by the Department of Homeland Security and the American College of Surgeons, the program can be tailored to laypersons or professionals. Mr. O'Brien is currently employed with Westchester Medical Center, and in cooperation with them he would like to offer a class at no charge in Mahwah.

Mrs. Musella inquired if the program espoused the use of tourniquets. Mr. O'Brien confirmed that it did. He explained that the use of tourniquets fell out of favor in the medical community as various compression techniques and products such as Quick-clot were espoused. After the U.S.'s second engagement in Afghanistan it was confirmed that tourniquets were saving lives in the field far more than other methods.

Mr. Harris inquired if the general public would be invited. Mr. O'Brien would like to offer two classes; one for the general public and one for first responders and police. The classes would include a lecture portion, a slide presentation and a hands-on practicum.

After discussing logistics and specifics, Mr. Harris and the Members endorsed the program and authorized Mrs. Musella and Mrs. Campbell to facilitate its implementation with Mr. O'Brien.

Mr. Wasson provided a news article forecasting an intense flu season this year. He inquired if we should be offering the High Dose flu vaccine. Mrs. Musella responded that the CDC does not currently recommend one formulation over another focusing instead on reducing the populations that are under-vaccinated. Mrs. Campbell noted that the High Dose formulation is also more expensive and has a higher incidence of adverse reactions.

#### **EXECUTIVE SESSION**

On a motion by Mrs. DeSilva, with a second by Mr. O'Brien and agreed to by all present, the Board entered into Executive Session at 8:22pm to discuss a personnel issue, and Mr. Ervin was excused.

On a motion by Mr. Wasson, with a second by Dr. DeMaria, and agreed to by all present, the Board returned to Regular Session at 8:35pm.

There being no further comments or discussion, Mrs. DeSilva made a motion to dismiss at 8:35pm, which motion was seconded by Mr. Wasson and unanimously agreed to by all present.

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

Respectfully submitted,

Marianne Campbell  
Secretary