

TOWNSHIP OF MAHWAH
BOARD OF HEALTH
MINUTES
MARCH 13, 2012

The regularly scheduled 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 7:30 PM by President, Sydney Harris.

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

PRESENT: Mr. Harris
Mrs. Spiech
Dr. DeMaria (7:35pm)
Mrs. Mertz
Mr. Wasson

ABSENT: Mrs. DeSilva
Mr. LaMontagne

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

OATH OF OFFICE

Mr. Mason administered the Oath of Office to Mr. Wasson, and congratulations were offered by the Members and Staff.

APPROVAL OF MINUTES OF THE REGULAR MEETING

(The Report of Attorney, Agenda Item 10 was considered prior to discussion of the Minutes)

Moved by Mrs. Mertz and, seconded by Dr. DeMaria to approve the minutes of the regular meeting of February 14, 2012.

Mrs. Spiech inquired if the Court had demanded the removal of all fowl, or just the roosters as noted on page 5 of the Minutes.

Mr. Mason believed that Zoning was actually focused on removal of the coops, which by default would preclude both. He stated that our Board of Health ordinance specifically prohibits *crowing* roosters, and they are the only fowl we can order removed.

Mr. Maas advised that Mr. DeMarino has not applied for a license for the hens. In fact, the only fowl license issued in the past year was to an entity with Right-To-Farm Act protection (which permits roosters.) Two new inquiries have been received, but Zoning must approve those properties before we will issue licenses.

Mr. Mason noted that our revised fowl ordinance was fashioned to closely pattern Department of Agriculture protocols. In order to obtain a license for the hens, Mr. DeMarino would first have to satisfy those strict requirements (Monitored Flock, etc).

There being no further questions or discussion, the Minutes of the Regular Meeting of February 13, 2012 was unanimously approved.

APPROVAL OF HEALTH ACTIVITIES REPORT

(The 2011 Annual HARP Report, Agenda Item 12(a) was considered prior to discussion of the Health Activities Report)

Moved by Mr. Wasson and, seconded by Dr. DeMaria to approve the Health Activities Report for February 2012.

Mrs. Spiech inquired as to the status of a potentially dangerous dog case and what measures the owner was taking to prevent another bite incident. Mr. Maas stated that Tyco Animal Control has been to the property several times. The owner has agreed to install additional fencing, and Tyco is satisfied with this measure. Mr. Maas then noted that he had met with Chief Batelli to clear up a discrepancy on the number of bites the dog was alleged to have been involved in (three). Only two bites are documented.

Mrs. Spiech then inquired as to the abatement notice issued to East Tokyo. Mr. Maas explained that the walk-in cooler floor is made of a very thin metal with a non-slip rubber coating on it. Some areas of the floor were completely corroded through with rust, and other areas evidenced make-shift repairs using quick-set concrete patch. Mrs. Homler is working with the owners to find acceptable, new flooring that they can afford. Mr. Harris asked if the establishment was operational. Mr. Maas replied affirmatively.

Mr. Harris requested particulars about food related consultations performed by the inspectors. Mr. Maas provided examples including counter inquiries from patrons of our establishments and phone calls from prospective owners seeking licensing and commercial kitchen information. In addition, an establishment's owner is not always on premises during their Routine inspection. When the owner receives their copy of the report, they often call to discuss it. All of these scenarios would constitute a food consultation.

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

HEALTH OFFICER'S REPORT FOR FEBRUARY

Moved by Mr. Wasson and, seconded by Mrs. Mertz to approve the Health Officer's Report for February 2012.

Mrs. Spiech requested more details about an inquiry regarding a potential Cigar Bar. Mrs. Musella stated that the owner of a Mahwah property had requested licensing requirements for opening a Cigar Bar. Mrs. Musella phoned the owner and informed him that new Cigar Bars are not permitted. Those in business now had to have been operational prior to 2005 when the law was changed. There is a provision that permits a cigar retailer to allow customers to sample product, but no venue can permit indoor recreational cigar or cigarette smoking.

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

2011 HARP/PUBLIC HEALTH NURSING REPORT

(Considered prior to Health Activities Report, Item 6)

Mr. Harris welcomed Mrs. Joanne Wendolowski, R.N. and ceded the floor for her review of HARP's annual report.

Mrs. Wendolowski thanked Mr. Harris and began her review with a discussion of Communicable Disease Control. Investigating reportable diseases is one of the larger program functions HARP provides to the Township. At 115, the number of disease reports investigated in 2011 was comparable to prior years.

Ninety-nine percent of lab reports are now sent directly to the State's electronic data repository; the Communicable Disease

Reporting and Surveillance System (CDRSS). Hospitals and Urgent Care Centers also upload reportable diseases to CDRSS in real time, providing epidemiologists and infectious disease control authorities a 'heads up' on potential threats. New in 2011 is the mandatory reporting of Varicella (chicken pox).

Lyme disease is not communicable but is reportable under NJDHSS protocol. It is the most common disease reported for Mahwah residents, but all suspected case reports do not turn out to be actual cases. Mahwah had one known exposure to measles in 2011 resulting from air travel and several confirmed cases of more rare diseases including malaria. The most predominant of all confirmed disease cases are due to food borne pathogens i.e. campylobacter, salmonella and norovirus.

HARP performs Immunization Audits at all childcare centers in town each year, and once every third year to the public schools, to ensure compliance with State requirements. The current emphasis is on getting compliance on the newer flu vaccine requirement. The nurses are witnessing an increased resistance to mandated vaccines as evidenced by the rise in requests for religious exemptions.

Mrs. Spiech asked if tuberculosis testing was done at Ramapo College. Mrs. Wendolowski said that colleges generally require a Mantoux test, but only for admission. Because of the high rate of false positives associated with the Mantoux, she would not endorse a mandate for additional or annual testing until a definitive blood test becomes available.

We are still serving a good number of underinsured and uninsured children at the Child Health Conference. Referrals to New Jersey Family Care are usually successful so clients do not tend to stay in our program very long. Infants and pre-schoolers receive most of the immunizations, but some adolescents are also seen and provided Menactra, Gardasil, influenza and Varicella vaccines.

Mrs. Wendolowski has the highest professional regard for the physician we contract (Dr. Fenkart) and opined we would be hard pressed to find a more caring and competent pediatrician. She also commended the new facilities at the renovated Library and praised the staff there for providing such a hospitable and child-friendly atmosphere.

Child Health Conference vaccines are provided to the Township under the State program "Vaccines For Children" (VFC). For this reason, HARP also participates in the New Jersey Immunization Network. The Network provides centralized access to the immunization records of all children vaccinated under the VFC regardless of jurisdiction.

The State protocols for vaccine storage have become increasingly stringent so as to ensure the viability of vaccine. To that end, HARP has updated their policies and is working with the Department's staff to obtain NIST certified thermometers for Mahwah's vaccine refrigerator. These will be required by summer of this year.

Mrs. Musella advised that at Mrs. Homler's request she had spoken to Chief Batelli regarding placing a back-up refrigerator at the police station for vaccine storage during power outages. The police station has a generator; the municipal building does not. Chief Batelli agreed to look into this.

Mrs. Wendolowski continued that the Township hosted twelve Child Health Conferences in 2011. We continue to provide age appropriate lead screening as recommended by NJDHSS and were fortunate not to obtain any results of elevated lead levels last year.

Approximately 200 blood pressure screenings were performed last year for senior citizens at the Adult Health Conferences. New studies indicate how valuable community screenings for blood pressure are. Many false readings are taken at doctor's offices; false positives due to "white coat syndrome" (anxiety on the part of the patient) and false negatives from patients who, anticipating the visit, modify their routines (i.e. reducing salt-intake or taking their medications as prescribed) in order to 'pass' their physical exam.

Bergen County is seeing an increase in older residents. Mahwah has over 1600 residents age 75 years or older, 35% of whom live alone. HARP nurses performed home visits to 18 of these residents. Mrs. Wendolowski also entreated Meals on Wheels to deliver to shut-ins on Stag Hill, an area which was not being served. This year, as a community service project, Ramapo College nursing students will assist HARP in doing home assessments on our seniors who are receiving Meals on Wheels.

Community outreach programs in 2011 included a vision screening resulting in 8 significant referrals, and a diabetes prevention program offered at the Mahwah Full Gospel Church. HARP has contacted several other churches and faith-based communities in town to see if they might be interested in hosting similar programs.

Mrs. Spiech inquired if there were any programs targeting childhood obesity. Mrs. Wendolowski acknowledged that the emphasis always placed on nutritional education has not proven effective. To that end, HARP is transitioning over to evidence-based programs which have demonstrated improved outcomes. Programs like the Mayor's Wellness Campaign and the Shaping New Jersey initiative advocate partnering between schools, civic groups and elected officials to provide programs and facilities in support of active lifestyles.

Mrs. Wendolowski closed her presentation by welcoming questions (immediately, there were none) and inviting any member wishing to explore the possibility of co-sponsoring a partnered event for families or school children to please contact her.

REPORT OF ATTORNEY

(Considered prior to discussion of the Minutes, Item 5)

Mr. Mason thanked Mr. Harris for reordering the Agenda to accommodate his schedule and for postponing discussion of the analysis of Board of Health fees and penalties until a future date.

Mr. Mason wished to respond to questions on the rooster issue raised at the February meeting. He had received a response from Mr. Mulvey regarding same, and those comments were included in the memo he had sent to the Members today.

Mr. Mason recapped the events subsequent to the trial [fall of 2010]: Mr. DeMarino pleaded guilty and had been fined \$3,079 in penalties and court costs which he was being permitted to pay off over time.

The agreement he signed with the Court called for the removal of all the coops and fowl by March 15th of 2011. A year later, compliance has still not been fully achieved and Mr. DeMarino is scheduled in court again tomorrow, March 14th.

Mr. Mason advised the Board that it is their prerogative to have the inspectors resume writing summonses against Mr. DeMarino. Mr. Mason noted however, that our assistance has not been solicited by the Zoning Official, and he had directed Mr. Mulvey to inspect the property periodically over the past year. Mr. Mason is confident that if there were blatant health concerns, Mr. Montroy would have contacted us.

Mrs. Spiech and Mrs. Mertz both queried as to the progress of the removal of fowl. Mr. Mason was not given a number or detailed report; he was only advised that compliance had not been met. If the case proceeds tomorrow as scheduled, he will report back to the Members next month. Optimally, the prosecutor and judge will take some enforcement action.

BILLS

Moved by Mrs. Spiech and, seconded by Mr. Wasson and, unanimously agreed by all present to pay the bills for February.

There being no further questions or discussion, a motion to adjourn was made at 8:37pm by Mr. Wasson, seconded by Dr. DeMaria and, unanimously approved by all present.

The next regular meeting is scheduled for April 10, 2012 at 7:30pm.

Transcribed from tape and respectfully submitted by,

Marianne Campbell

Marianne Campbell
Secretary