

The regular meeting of the Board of Health was called to order at 7:30 p.m. Present for this meeting were: Tracy Carluccio, Les Hamilton, Bogdan Slecza, Pauline Serafin, and David Wang-Iverson. Tony Berberabe, Larry Tatsch, and Charles Van Horn were absent. Also present: Board Secretary Christine Rosikiewicz. Dan Wyckoff from the Hunterdon County Health Department was also in attendance.

In compliance with the Open Public Meetings Act, this meeting was advertised as a regular meeting in the January 28, 2016 issue of the Hunterdon County Democrat. Notice of the meeting was forwarded to the Township Clerk's office, posted on the Township bulletin board and sent to the Hunterdon County Democrat on February 10, 2016.

**ANNOUNCEMENTS/AGENDA REVIEW:**

Under Hunterdon County Division of Public Health LINCS

2/10/16 Public Health Update – Zika Virus Phone Script Update 2-10-16

2/12/16 Public Health Info – Rabid Dog in Monmouth County- Handling Dog Bites

2/12/16 Public Health Advisory – Medical Tourism-Associated cases of rapidly growing nontuberculous mycobacterium

2/16/16 Public Health Update 2-15-16 – Zika Virus Phone Script Update 2-16-16

Under Correspondence for Hunterdon County

2/11/16 Notice of Confinement of Domestic Animal Exposed to Rabies

2/12/16 e-mail re: 2016 Fairgrounds Rental Dates

**PRESENTATION OF THE MINUTES** –January 19, 2016

**Mr. Hamilton made a motion to approve the January 19, 2015 minutes; Mr. Van Horn seconded the motion. All were in favor; the motion passed. Mr. Wang-Iverson abstained as he was not present for the January meeting.**

**OPEN TO THE PUBLIC**

**Mr. Wang-Iverson made a motion to close to the public. Mr. Hamilton seconded it. All were in favor; the motion passed.**

**UNFINISHED AND NEW BUSINESS**

A. Hunterdon County Division of Health and Safety – Inspector's Report

1. Owens - AKA Woody's – B 16, L 11 – 202 Old York Road

Mr. Wyckoff reported that the County is still waiting to hear an update on this remediation project; an update was expected in February. He believes it will be finalized soon; New Jersey Department of Environmental Protection approval is also needed.

2.NOV 9/3/14 B 15.01 L 2 – update, 1/20/15 letter from Hunterdon County Division of Public Health to Maser Consulting, P.A.

Mr. Wyckoff reported that this NOV is for Speedway. On January 19<sup>th</sup> he spoke to Deborah Hufford Nee, Senior Project Manager for Maser Consulting, who advised that the contractor said it was too cold to install the septic system; therefore it would be installed in the spring. Mr. Wyckoff's supervisor advised Mr. Wyckoff that the County conducts septic inspections throughout the winter therefore the cold weather is not a valid excuse. On January 20<sup>th</sup> Mr. Wyckoff sent a letter to Speedway giving them until February 15<sup>th</sup> to install the new system. A summons will be prepared against the owner of record, which is Hess Corporation in Ohio, since the system has not yet been installed.

Mr. Wyckoff called Maser Consulting and requested the January pump receipt but has not received it as of yet. Mr. Wyckoff will follow up on this.

Mr. Wyckoff reported that the Board Secretary had called in a complaint of a possible breakout at the site. The County followed up but there was no breakout; the ground was wet from the rain and melted snow.

Mr. Wang-Iverson asked Mr. Wyckoff if he has the ability to shut down the businesses. Mr. Wyckoff said that they are pumping and there is not an active breakout right now so they cannot be shut down at this point. If a breakout was witnessed then they could be shut down until the tank is pumped again.

Ms. Carluccio commented on the well water testing done and that bacteria was not found in the water. She asked if they could be shut down if there was water contamination. Mr. Wyckoff said it might be possible. Ms. Carluccio recalled another business in the Township that was threatened with being shut down by the NJ DEP (as they had jurisdiction) if bottled water and boiled water wasn't utilized.

Ms. Carluccio asked what the next step in the process was. Mr. Wyckoff will meet with the Court Administrator tomorrow and a summons will be written and mailed to the property owner. The summons will have a court date on it; this date will be the first hearing of the complaint. The offense is having a noncompliant individual subsurface sewage disposal system which is nonfunctioning with breakout of sewage or effluent under the surface of the ground.

Mr. Wyckoff noted that the septic system application was approved in October.

Mr. Hamilton and Ms. Carluccio commented on the urgency of this being heard by the court as it is a public health issue.

Mr. Wyckoff commented on the hope that Speedway will install the system rather than come to court.

Ms. Carluccio commented on possibly publicizing this item if it goes to court as people should be aware. Mr. Hamilton spoke about the difference between a public health issue and non-compliance. It is a public health issue if there is an effluent break out. In this case Speedway is being non-compliant to the Board of Health and the County Division of Public Health; the public health is not being compromised. Ms. Carluccio said there is a concern that at any time it could break out and that it appears the tank is not being pumped until Mr. Wyckoff follows up on the receipts. Mr. Hamilton believes it should be publicized.

Mr. Hamilton confirmed that the summons would go to Hess. Mr. Wyckoff confirmed this and explained that Hess Corporation is the owner of record. The address has changed; it is no longer Woodbridge and is now is an Ohio address where the parent company of Speedway is located. The summons will be sent certified mail.

### 3. NOV B 35.01 L 38

Mr. Wyckoff said this NOV is for the Mezaros property tire removal and was closed on January 22<sup>nd</sup>. The entrances to the property have been blocked off to limit access and prevent future dumping on the property.

Mr. Wang-Iverson thanked the County for helping the Township. Mr. Wyckoff thanked the Township for providing the “manpower”. Mr. Wang-Iverson asked if the tires have been removed from the County property. Mr. Wyckoff said they have been.

## B. Preview Committee

There were no items for Preview Committee

## C. Hunterdon County Division of Public Health – Complaint Procedure

Mr. Wyckoff advised that there are some problems inherent with the current procedure; Carla Hobbes will be reviewing it. Most importantly if complaints are associated with air, odor, or noise the complainant must call the County themselves; this type of complaint cannot be called in by a third party. He understands that the Township wanted East Amwell residents to be able to file a complaint with the Township. An odor complaint requires a signed affidavit and the complainant must be at the residence when the odor is detected. For a noise complaint information is needed from the complainant including the time of day the sound occurs and the duration of the sound.

E-mail complaints can be taken but complaints accepted by e-mail are limited in nature as e-mails can be overlooked.

Another item that needs to be addressed is that complainants are told their complaints are in confidence. The complainant’s name is not divulged but it would be if there is an OPRA request of the complaint, although their phone number and address would be redacted.

The County would like to provide the Township the freedom to take the complaints but there has to be some limitations that have to be adhered to.

Mr. Wang-Iverson asked if there were reasons these areas need to be called in by the complainant directly. Mr. Wyckoff said the reason an odor complaint must be called in directly is because of the affidavit that must be signed. The investigator will go to the complainant's residence for them to sign the affidavit before investigating. Once the affidavit is signed the investigator will inspect to determine the odor is not coming from another possible source. Noise can be reported through a third party although the County has specific questions they should ask the complainant themselves including the nature of the noise and time of day it occurs. For this reason it is better the complainant calls in the complaint themselves with the goal of getting as much information as possible from the initial complaint.

Ms. Carluccio inquired about complaints regarding septic system breakout. Mr. Wyckoff said that type of complaint can be anonymous and this will be clear in the updated procedure. Ms. Carluccio spoke about a past complaint where the complainant wanted to remain anonymous and feared retaliation. Mr. Wyckoff said that complaint was handled appropriately. Ms. Carluccio expressed that if the complainant believes the complaint would come back to them they may not report. She believes in that specific case the complainant would not have called the County directly. Ms. Carluccio spoke of receiving a complaint call at her home where the resident felt that contact should suffice and they should not have to also call the Township. She expressed that if residents have to call the County it could be perceived as giving them the "runaround". She believes the Board's main concern is that when residents take the time to make the phone call to the Township they feel the Township should act on it on their behalf rather than have to make a second phone call [to the County]. The Board Secretary expressed that she receives anonymous messages on her voicemail at night in which case she would not be able to advise the caller to contact the County. She added that she does explain the County's preference to be contacted directly to complainants but around half the time they ask her to file the complaint on their behalf. Mr. Hamilton commented about the Secretary being "the Board of Health" and the resident's first contact and asked if anything could be done procedurally to deal with these types of complaints. Mr. Wyckoff said they will try; he will share these concerns with Ms. Hobbes. Mr. Wyckoff said the County wants to help as best as they can without anything to "get lost in the cracks". The County wants the inspectors to be able to investigate to the best of their ability with as much information as possible.

Ms. Carluccio would like the Board to be responsive, she would like residents to feel they can come to their Township and make a complaint and then someone is going to do something about it.

Mr. Wang-Iverson asked if the Township could request the County call the complainant. The Board Secretary explained that this is the current process; when a complaint is received by her she forwards the information to the County to follow up with the complainant, unless they are anonymous. Previously she would e-mail the information to the County but she has been asked by Mr. Wyckoff to relay the information via phone going forward.

Mr. Wang-Iverson and Mr. Hamilton commented that odor and noise complaints can't be anonymous.

Mr. Wyckoff will provide the Board with updated procedures to review at a future Board meeting. He asked the Board not to remove the current procedure from their website until there is an updated one. For the most part it will remain the same; there are some items that are not conclusive enough.

Mr. Wang-Iverson asked for clarification on the procedure for odor and noise complaints. He asked if someone calls the Board Secretary for a complaint for odor and noise can she just forward the complainant's information to the County for them to call the complainant back rather than the complainant making a second phone call. This would simplify the process for the resident.

Mr. Wyckoff explained that sometimes time is crucial; especially with a complaint about an odor. When an odor complaint is received by the County it is acted on instantly by an investigator certified in investigating odors. The investigator calls the complainant and asks if they smell the odor now. If they do then the inspector goes to their home, has the affidavit signed and completes the walk around of the property.

With a noise complaint the investigator also has to speak to the complainant although an affidavit is not signed. It is crucial for the County to understand the type of noise it is and the time of day it is occurring.

Mr. Wang-Iverson expressed that he would like to avoid the residents having to take two steps instead of just one.

Ms. Carluccio summarized that there are two issues; the ability to make anonymous complaints and if the Board can relay a message to the County to contact the complainant for noise and odor complaints. Mr. Wyckoff said he would relay this information back to the County.

C. Approval of Professional's Contract – Hydrogeologist

Ms. Rosikiewicz went over the hydrogeologist fees for Ground Water Associates, LLC. The increase noted at the last meeting was for the fee for "field technologist/geologist"; the other two fees (for Professional Geologist and Clerical) remained the same. A new fee page was received from Ground Water Associates with this line and the fee for "field technologist/geologist" removed. It was noted that if a field technologist /geologist was needed a separate contract for these services would be approved by the Board as in the past for the South County Park.

**Mr. Hamilton made a motion to approve the contract for Ground Water Associates, LLC. Mr. Wang-Iverson seconded the motion. All were in favor; the motion passed.**

**ITEMS OF DISCUSSION****A. Education and Health Issues****1. LINCS re: Zika Virus**

Ms. Carluccio commented on the increase of information on the Zika Virus since the Board met last month. Mr. Hamilton commented on the “great job” the County is doing keeping the Board informed. The Board Secretary put information about the virus on the Township website. Ms. Carluccio commented favorably about the County’s mosquito prevention program. Mr. Wang-Iverson commented that it is a particular mosquito causing the virus and asked Mr. Wyckoff if this mosquito is present in the County. Mr. Wyckoff said he was unable to answer. Comments were exchanged about when and if this mosquito will enter the United States. Mr. Hamilton commented that there are also “plenty of other mosquito borne diseases” that are pretty serious.

**B. Board of Health Budget Status as of February 10, 2016**

Ms. Rosikiewicz believes all bills for 2015 have been submitted. The Board has approximately \$8700 remaining unspent in the 2015 budget. The only expense so far for 2016 is for \$40 to publicize the 2016 meeting dates and approval of the attorney and engineer contracts.

**C. 2016 Rabies Clinic**

Ms. Rosikiewicz reported that Ms. Dymek ran the 2016 rabies clinic. She received 200 doses of serum; 144 doses were used and 56 were returned. There were 28 cats vaccinated; 24 were by residents, 4 were not. There were 116 dogs vaccinated; 72 were by residents, 44 were not. Ms. Rosikiewicz is aware that some residents attend clinics in other townships rather than East Amwell’s clinic. Last year there were 145 doses used; one more that this year. There were 115 dogs vaccinated last year and 30 cats vaccinated.

Mr. Hamilton said that the Township no longer has to complete a dog census noting that this was an incentive for dog owners to vaccinate their dogs against rabies. Mr. Hamilton asked if people would still comply. Mr. Wang-Iverson said residents would still have to license their dogs. Ms. Carluccio said that when you purchase your dog license you must provide proof of vaccination from the Township or a vet. The date of the vaccination is recorded by the Township; the vaccination is good for three years. Since the census is not being done the Township will not be aware if there are dogs that have never been vaccinated.

**D. Article for Recycling Committee Spring Newsletter**

Mr. Hamilton and Ms. Rosikiewicz worked on this article which Ms. Rosikiewicz provided to the Committee in their packet. Mr. Hamilton asked the Board for feedback and to contact Ms. Rosikiewicz with any comments. Ms. Carluccio commented on it being “very reader friendly” and commented favorably on it. Mr. Hamilton commented favorably on the help he received from Ms. Rosikiewicz.

D. Board Secretary's Report

No report.

**CORRESPONDENCE**

1. Hunterdon County

- A. 2/5/16 Memo from Hunterdon Division of Public Health Services re: Retail Food Establishments

Mr. Hamilton commented favorably on this memo. He made a small suggestion regarding the chart provided by Mr. Wyckoff which would provide clarification.

**BILLS OF THE EVENING**

**Mr. Hamilton moved the approval of the bills of the evening, seconded by Ms. Serafin. The motion carried unanimously.**

**OPEN TO THE PUBLIC**

**Being no comments from any public Mr. Hamilton moved to close to the public. Mr. Wang-Iverson seconded the motion. All were in favor; the motion passed.**

**ADJOURNMENT**

**Mr. Wang-Iverson motioned to adjourn the meeting at 8:23 p.m. Mr. Slecza seconded the motion. The motion carried unanimously.**

Respectfully submitted,

Christine Rosikiewicz

Board Secretary