

**MIDDLESEX BOARD OF HEALTH
MEETING MINUTES
THURSDAY AUGUST 10, 2023**

Meeting called to order by Board President Ember with the following statement:

“This meeting is being held in compliance with the Open Public Meeting Law in that the requirements of the Law have been met by the Annual Meeting Notice forwarded to the Courier News, Star Ledger and posted in the Municipal Building on December 9, 2022 with a subsequent notice dated February 10, 2023 and filed in accordance with the law.”

Roll Call

Steve Ember - President	<input checked="" type="checkbox"/>
Melissa Fedosh	<input checked="" type="checkbox"/>
Ken Griggs	<input type="checkbox"/> - Absent
Thomas Harrity – Vice President	<input checked="" type="checkbox"/>
Kevin Nelson – Alt. 1	<input type="checkbox"/> - Absent
Karen Rutkowski	<input type="checkbox"/> - Absent
Robert Sherr	<input checked="" type="checkbox"/>
Laura Steinau	<input checked="" type="checkbox"/>

Others in attendance:

Paras Dhingra, Public Health Inspector	<input type="checkbox"/> - Absent
Councilman Quinn – Council Representative	<input type="checkbox"/> - Absent

Minutes: Approval of the July 13, 2023 Meeting Minutes;

Board Member Sherr made a motion to accept the July 13, 2023 Meeting Minutes, seconded by Board Member Steinau. All in favor.

Reports:

- A. **Monthly REHS Activities Report – July 2023** – Tabled – Seeing that there was no representative from the County, board members tabled the matter.
- B. **Monthly Environmental Statistics Report May, June, July 2023** – Tabled - Seeing that there was no representative from the County, board members tabled the matter.
- C. **Monthly Environmental Summary Report – July 2023** – Tabled - Seeing that there was no representative from the County, board members tabled the matter.
- D. **Registrar’s Report - July 2023** – Board Secretary read the Registrar’s Report for July 2023. Seeing that there were no comments or questions Board Member Sherr made a motion to accept the July 2023 Registrar’s Report, second by Board Member Steinau and carried by the following roll call vote by members present. Ayes: Ember, Griggs, Harrity, Sherr, Steinau. No: None Abstain: None
- E. **Board of Health Report – July 2023** – Board Secretary read the Board of Health Report for July 2023

Seeing that there were no comments or questions Board Member Steinau made a motion to accept the July 2023 Board of Health Report, second by Board Member Sherr and carried by the following roll call vote by members present. Ayes: Ember, Griggs, Harrity, Sherr, Steinau. No: None Abstain: None

F. Council Representative Report – None, Council Representative Absent.

Correspondence: None

Unfinished Business:

A. Budget and Finance

President Ember and Board Member Sherr will be meeting to discuss possible changes. The Board Secretary asked the board members if the Borough should be collecting fees for temporary Board of Health licenses from all participants at any Borough events. This includes any restaurant/vendor that will be donating their profits. There was a consensus by the members present to charge the fee for the temporary Board of Health licenses to all food vendors that participate at any of our events. The only exception is the mobile Ice Cream truck.

B. Website

President Ember stated that the airnow.gov link is not on the website. The Animal Control Services link has been added.

C. NJ Local Board of Health Report

President Ember stated that he attended the last meeting. He reported that Resolution #3-2023 has been forwarded to the appropriate legislature. He stated that Bill A4115/S2413 to provide \$10 million in annual funding for local public health programs is still stalled. He also stated that there was discussion about needing more members and local health officers.

D. Publicity – President Ember stated that he would like to have blurb in the newsletter. He will be sending out an email to Board Members requesting information for the newsletter. Deadline is August 15th.

E. Creighton Lake – Nothing new to report at this time.

F. Straight Edge – On going issues with Straight Edge were discussed during the public portion. This will be further discussed with Les Jones and members of the board.

G. Rabies Clinic

Discussion was had about the advertisement of the clinic. The Board Secretary advised that the County supplies the Borough with posters advertising the even. It was recommended to place posters at places such as the Dog Park and Camp Bow Wow. Members were advised that an email was sent to Paras regarding adding the Borough's clinic information to the County's website.

H. Potential changes to Chapter 272 of the Code Book for Massage and Bodywork Therapy Establishments

TABLED – until next meeting and after the Mayor and Council and Borough Attorney have had a chance to review.

New Business:

A. Resolution #4-2023 – Hiring Peter Perla of PRB Attorneys at Law, LLC as Board of Health Attorney

Board member Sherr made a motion to approve Resolution #4-2023, hiring Peter Perla of PRB Attorneys at Law, LLC as the Board of Health Attorney and seconded by Board Member Griggs and carried by the following roll call vote by members present. Ayes: Ember, Griggs, Harrity, Sherr, Steinau. No: None Abstain: None

B. Green Brook Flood Control Project

Board Members discussed that this is periphery of our jurisdiction. The Board is not getting involved. It is the responsibility of the DEP and Army Corps of Engineers to respond to the public's concerns.

Meeting Opened To The Public: President Ember opened the meeting to the public; public recognized; public portion of meeting closed.

Kathy Valenti of Sherman Avenue – Stated that there are new issues with parking and traffic with regards to Straight Edge. She inquired about Straight Edge's intention with the current lot and whether or not they moving to their new location. She wants to know when they are moving or not or if they are keeping the current location for storage. She stated that the lights are still an issue at night and the noise of running trucks start at 7:00am. She stated that the JLUB meeting, it discussed that Straight Edge pulled their application. She stated that she has been unable to open her windows for many years due to the air quality in the area. She stated that she has been reaching out to the County for four (4) years. She also stated that the county responded three times to odor complaints and three times it failed. She has contacted the county numerous times regarding the air quality in the area and was told by Mr. Makrelis of the County, that they cannot come by more than 2 or 3 times a week.

Steve Sabik of Wilton Avenue – Stated that he has been complaining about the issues with Straight Edge for four (4) years. He discussed the powder issues in the area when the powder is poured into the trucks to be mixed. He has emphysema and is concerned about the chemicals he and his neighbors are being exposed to. He stated that he believes one of his dogs had to be euthanized due to possible allergic reaction to the air quality in the area. He is currently unable to take his current dog out in his backyard due to the air quality. He complained about the how bad it smells in the area. He mentioned that the road is being blocked by trucks owned by Straight Edge. He also stated that he has contacted the Police Department numerous times regarding powder on the street and the vehicles speeding on the street. Mr. Sabik was told by Middlesex County Environmental Health Division that they do not have the proper equipment to measure the part per billion of the chemicals that come out of their equipment. He has sent videos, and pictures to the DEP, EPA and town council and has not received proper response. He further stated that he uses an app to submit complaints and they are unanswered.

Board Member Sherr stated that the issue with Straight Edge is a Board of Health problem, not a code enforcement problem, therefore, the Board will help to resolve the matter. He also stated that the area where Straight Edge is located has always been zoned for commercial use. It was discussed that Straight Edge sold the property that they were going to relocate to. It is not known what is going to happen to the property. He stated that the Code Enforcer has been trying to help with the issues presented by Straight Edge. He stated that EPA does not regulate portable mixers.

Vice President Harrity and Board Member Sherr advised the homeowners to continually contact the county with the issues they are experiencing and to document the dates and times the contacted them and who they spoke to. They discussed the possible fines due to number of complaints. Vice President Harrity shared the data from the County report that stated; there were three (3) noise complaints received in one month, which resulted in \$9,000 in fines. There was discussion about the difficulty of measuring and monitoring what's in the air.

President Ember stated that he will be thoroughly reviewing the agreement between Straight Edge and the Borough with the Code Enforcer. Board Member Sherr stated that he will have the Code Enforcer review the agreement and will request a report for him to forward to the Board.

Joyce Kozowski – Discussed the rat issue at Hazelwood School. She stated that she contacted Public Health Inspector, Paras regarding the matter. Mr. Paras informed her that he will be investigating the area. She informed the Board that neighboring homeowners complained about rats in their backyards. She also mentioned that when the DPW were picking up garbage, they encountered many rats around the garbage.

Vice President Harrity stated that he contacted DPW regarding their experience with the rat issue and was informed that it was not the Borough's DPW at the site. It was an independent company. The Borough DPW and the Board of Education coordinated a cleanup of the area.

Ms. Kozowski was advised to discuss the matter with the Board of Education.

Adjournment: Board Member Sherr stated that Board of Health Attorney, Peter Perla and Les Jones should attend our September meeting.

Board Member Sherr moved for adjournment seconded by Vice President Harrity, all in favor. Next meeting will be held September 14, 2023 at the Recreation Building.

Carmen Modica
Board Secretary