

**MIDDLESEX BOARD OF HEALTH
MEETING MINUTES
THURSDAY OCTOBER 12, 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 type="checkbox"/>	- Absent
Ken Griggs	<input checked="" type="checkbox"/>	
Thomas Harrity – Vice President	<input checked="" type="checkbox"/>	
Kevin Nelson	<input checked="" type="checkbox"/>	
Robert Sherr	<input checked="" type="checkbox"/>	
Laura Steinau	<input checked="" type="checkbox"/>	

Others in attendance:

Paras Dhingra, Public Health Inspector
Councilman Quinn – Council Representative
Mickey Gross, Environmental Health Division
Patricia Clemente – REHS
Philip Makrelis – Air & Noise Program Supervisor

President Ember welcomed Mr. Mikey Gross, Environmental Health Division and Philip Makrelis, Air & Noise Program Supervisor.

President Ember stated that he invited Mr. Gross and Mr. Makrelis to the meeting to discuss the on-going issues with Straight Edge and to discuss how well the County can respond to citizen complaints. He stated that inspectors are not finding violations, despite complaints. Mr. Gross and Mr. Makelis discussed the procedures regarding reporting complaints. Mr. Gross stated that if inspectors are not doing their job, contact him. He also stated that he is here to help. Both Mr. Gross and Mr. Makrelis provided the board members with their phone numbers. He stated that they will continue to respond to complaints about Straight Edge. There was further discussion regarding after-hours complaints. After-hours complaints are handled through the Sheriff's department. The Sheriff's department contacts the inspector on call. During regular hours, calls are made to the County. Members also discuss air quality complaints and how they are handled and reported. The reports are not comprehensive enough. They also discussed the need to know the address(es) where complaints are coming from.

Mr. & Mrs. Valenti of Sherman Avenue attended the meeting to voice their concerns on the on-going issues with Straight Edge. They stated that odor, idling, and paint mixing are still an issue. Mr. Makrelis stated that they don't go out for idling. Mr. Gross asked Mr. Makrelis to perform a "sweep".

Mr. Steve Sabik of Wilton Avenue also attended the meeting to discuss the on-going issues with Straight Edge. He stated that they are still mixing paint outside. The mixing is taking place between the hours of 2:00 & 3:00am. He informed Mr. Gross and Mr. Makrelis that he cannot open his windows due to the smells and noise.

He also informed Mr. Gross and Mr. Makrelis that he has sent videos and pictures to the DEP, EPA and town council and has not received a proper response. Mr. Makrelis requested that he send him the pictures and videos. He also stated that the pictures and videos can't be submitted as evidence. Mr. Sabik further stated that he uses an app to submit complaints and will be using it as evidence for his attorney once he obtains one. He also mentioned the DEP do not enforce portable mixers. Mr. Makrelis recommended that he submit an OPRA request to obtain full records of his complaints.

Mr. Gross stated that they cannot do surveillance of the area as they can only respond to complaints. It was stated that speeding in the area is still an issue.

Mr. Jeremiah Carnes (Councilman Carnes) attended the meeting to reiterate to Mr. Gross the ongoing issues caused by Straight Edge. He stated that he has visited the site several times. The issues have been going on for the last 5 years. He also stated that he is not happy with the situation.

Vice President Harrity advised the homeowners to continually contact the county with the issues they are experiencing so that there can be an accumulation of recorded complaints.

Mr. Gross stated that he will discuss the issues presented with Mr. Jones. He also stated that he will be back in the Spring to meet with the Board.

Minutes: Approval of the September 14, 2023 Regular Meeting Minutes

Board Member Steinau made a motion to approve the September 14, 2023 Regular Meeting Minutes, seconded by Vice President Harrity. All in favor. Board Members Nelson and Sherr abstained.

Approval of the September 14, 2023 Executive Session Meeting Minutes

President Ember made a motion to approve the September 14, 2023 Executive Session Meeting Minutes second Vice President Harrity. All in favor. Board Members Nelson and Sherr abstained.

Reports:

A. **Monthly REHS Activities Report – September 2023** – Paras Dhingra presented the September REHS Activities report. All complaints have been abated. President Ember informed Mr. Dhingra that the Risk Levels have not been included in the report as requested at our last meeting. Board Members stated that they would like to receive reports of all non-Satisfactory ratings as soon as they occur. They would also like to know why they are rated non-Satisfactory. Mr. Dhingra stated that he will check with his supervisor about the matter. President Ember requested that non-Satisfactory reports be sent to the Board Secretary immediately following a complaint. Board members also inquired about re-inspections. They stated that the re-inspections are taking too long to be performed or not being performed at all. There was discussion about how the communicable diseases are reported. The reports do not reflect where there may be clusters. Ms. Clemente asked for recommendations regarding the format of the reports. There was discussion about the incident at the High School. Mr. Dhingra stated that Kathleen Smith, REHS inspector, gave them time to abate the issue. Board Member Nelson stated that the inspector should go back at a later date to make sure they are still in compliance. Board Member Sherr asked President Ember to invite the Public Health Supervisor to our next meeting. There was further discussion about the process regarding emergency calls to the county.

B. **Monthly Environmental Statistics Report for September 2023; Monthly Environmental Summary Report for September 2023 - TABLED** – Board Member Sherr made motion to table the

reports seconded by Vice President Harrity. All in favor. Board Members agreed to table all reports until they receive a more comprehensive report as previously requested. The reports need to include the time a complaint was placed; the time it was dispatched and the time of the inspection. Board Member Sherr requested that President Ember send another letter to Mr. Jones regarding the reports. He also requested to invite the Board of Health Attorney to our next meeting.

C. Registrar's Report - September 2023 – Board Secretary read the Registrar's Report for September 2023.

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

D. Board of Health Report – September 2023 – Board Secretary read the Board of Health Report for September 2023

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

E. Council Representative Report – None. Council Representative Quinn informed board members that he forwarded the recommendations presented by the board regarding changes to Chapter 272 of the Code Book for Massage and Body Work Therapy Establishments to the Borough Attorney.

Correspondence: None

Unfinished Business:

A. Budget and Finance - President Ember stated that the committee consisting of Board Member Sherr and himself will be meeting at a later date.

B. Website - President Ember stated would like to have the phone numbers to report complaints added to the website. He will be working on the matter.

C. NJ Local Board of Health Report - President Ember attended the last meeting. He stated that they are still discussing Bill A4115/S2413 to provide \$10 million in annual funding for local public health programs. There was discussion about revisions to the bill. He also stated that there are about 450 local Board of Health's. Most are advisory boards, and many are not active. The association needs to reach out to them and have them speak up and join.

D. Publicity - President Ember stated that the rabies clinic information should be in the newsletter along with an invitation for the public to attend our meetings.

E. Straight Edge – Mr. & Mrs. Valenti of Sherman Avenue and Mr. Steve Sabik of Wilton Avenue discussed their on-going issues with Straight Edge with Mr. Gross and Mr. Makrelis. There was discussion about the penalties imposed on Straight Edge and SprayTek. Vice-President presented a report from the Straight Edge Complaints Committee. Committee consisted of President Ember, Board Member Griggs and Vice-President Harrity. Vice-President Harrity stated that he reached out to the State, submitted an OPRA and pursued what permitting is required at state level. There are no NJ hazardous waste or air permits for Straight Edge. He also discussed the Safety Data Sheets (SDS). He stated that the chemicals used do have toxicity potential. He stated that Straight

Edge is not supposed to do mixing at their location. He stated that he sent the pictures presented to the board to Christopher Odgers of Central Jersey Air Quality. He stated that Mr. Odgers' division has visited the area and to date he has not seen any evidence of yellow dust. He is open to new complaints. Straight Edge has already been fined \$13,000.00 for procedural information lapses. The court hearing date has not been scheduled yet for those infractions. The only recourse is to have the residents continue to complain. There was discussion about the rescinding of their license. Board Member Sherr stated that issues with Straight Edge are not a Joint Lande Use Board issue.

F. Rabies Clinic - President Ember informed the members that a County representative will be available to help with the clinic along with Board Member Steinau and Vice President Harranty and himself. There was discussion about equipment needed at the clinic. He informed Mr. Dhingra that the Borough's clinic is still not listed on the County's website. Mr. Dhingra will be looking into the matter. Board Members discussed the storage and delivery of vaccines. They discussed the possible liability should the vaccines not being stored properly. Ms. Clemente mentioned that the vaccines have to be stored at the proper temperature. President stated that he will reach out to Mr. Jones regarding the delivery of the vaccines. It was discussed that the county representative who will be at the clinic, bring the vaccine with them.

G. Potential changes to Chapter 272 of the Code Book for Massage and Bodywork Therapy Establishments - Board Members are waiting for the Borough Attorney's feedback on their recommendations.

H. Planning for Next Year - President Ember stated that he wants to work on the following for next year:

- Need to work on the Budget.
- Start working on the County contract in March.
- Member roles and objectives.
- Meeting location and dates. Board Secretary will be coordinating. President Ember canvassed members about possibly changing the day of the meeting. They agreed that the meetings should remain on the second Thursday of the month.

New Business - None

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

EXECUTIVE SESSION – None

Adjournment: Board Member Nelson moved for adjournment seconded by Board Member Steinau, all in favor. Next meeting will be held November 9, 2023 at the Recreation Building.

Carmen Modica
Board Secretary