

## **BOARD OF HEALTH MEETING MINUTES**

March 12, 2015

The meeting of the Middlesex Board of Health was held on the March 12 in the Municipal Building and called to order at 7:00 p.m. by the Board President with the following statement:

“This meeting is being held in compliance with the Open Public Meeting Law in that all the requirements of the Law have been met by the Sunshine Law Meeting Notice forwarded to the Courier News, Home News, and Star Ledger and posted in the Municipal Building on December 8, 2014. Furthermore, due to a snow storm on March 5, this meeting has been rescheduled for this day, March 12, having been reposted on the website sent to the Courier News, posted in the Municipal Building.”

Roll Call was taken and all members were present: Barbara Benson, Amy Bigge, Amy Burke, Charles Corcoran, Melissa Fedosh, Thomas Harrity, and Ceil Slauson

Others in Attendance: Terry Brundage, SREHS

Council Liaison K. Dotey and BOH secretary K. Anello were absent on Council Matters.

### **Presentation**

President Harrity presented a series of slides covering 1) Issues on autonomy and advisory roles for local Boards of Health, with a review of sections of the Middlesex Borough Code indicating the there is significant precedent for the town BOH to produce its own ordinances, essentially indicating that the BOH has been operating already as an autonomous board. 2) Information from NJ State statutes that indicate the local BOHs cannot be easily sued if they are conducting clear BOH business in pursuit of the health of the community. 3). The Powers and Duties of the Middlesex Borough's BOH as outlined in our town code book. 4.) A review of the Contract with the Middlesex County Board of Health outlining its specific responsibilities and 5) a listing of suggested rules for the operation and conduct of future BOH meetings

Members of the Board interacted with the information and it was specifically moved by Charles Corcoran and seconded Barbara Benson and carried by a majority of Board members to immediately incorporate the rules for conduct of the BOH meeting from the presentation which are listed here:

To maximize our time and efficiency the following protocol for our operation will be followed based upon the Town Council SOP as well as on Roberts Rules of Order:

- 1.) Approval for the floor must be obtained from the chair before someone can begin their interaction with a report or speaker - when there is a discussion in progress, the current speaker must be allowed to finish before the chair acknowledges the next person who will interact and so on.
- 2.) At some point in the interaction, the chair must ascertain that the discussion has established the details needed around the topic and the discussion will be ended.
- 3.) The official way in which reports are given will require that an entire report be presented, followed by a motion to accept it with a second, at which time, here only, discussion will be permitted. This will allow for the complete report to be given followed by any detailing needed by the discussion period. After this, the vote will be taken to accept the report.
- 4.) In the public portion of the meeting all questions from the public are addressed through the chair and responses from the Board are also through the chair.

### **Minutes**

Board Member Fedosh made a motion to accept the February 5, 2015 meeting minutes, seconded by Board Member Bigge and carried by the following roll call vote with the correction of changing in the Fracking Ordinance section sentence 2 changing “band” to ban (for both Fracking “Band” and Waste “Band”). Ayes: Benson, Bigge, Burke, Corcoran, Fedosh, Harrity, Slauson, Benson No: None. Abstain: None

**Executive Session:** None

### **Reports**

- A. Activities Report – REHS, Terry Brundage presented the Activities Report for February, 2015. A notice was mailed to all food business in town noting that a Food Handler’s Training course will be held at the Public Library on Tuesday March 24 at 1:30 PM ( Cost \$ 25).
- B. Registrar’s Report - Board President read the Registrar’s Report for February, 2015.
- C. Middlesex County Environment Health Division for February (Air, Water, Noise &Solid Waste Complaints)

### **Finance Report**

- A. BOH License Fees Collected: February YTD, 2015 \$13,875.00

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|----|---|-------------|
| B. | Bill List – Resolution to Acknowledge All Claims: | \$16,113.12 |
| C. | Registrar Fees Collected: -February, 2015         | 352.00      |

Board Member Bigge made a motion to accept the Financial Report seconded by Board Member Fedosh and carried by the following roll call vote. Ayes: Benson, Bigge, Burke, Corcoran, Fedosh, Harrity, Slauson. No: None. Abstain: None.

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**Correspondence** – The following correspondences were reviewed:

- 1.) County epidemiologist Sherie Wolpert to BOH Pres Harrity (Feb 20, 2015): Listing of reportable communicable diseases. Letter also explained process of official tracking of confirmed cases is to be done by the County office.
  - 2.) Note from Louis Goldshore (March 11, 2015) stating that the Spray Tek installation of new roll filter is scheduled to begin in April or May depending on weather conditions. This work was originally understood to be installed in August of 2014.
  - 3.) Communication with School Superintendent (March 4, 2015) indicating that the supervisor of Middlesex School nurses will be informed of the phone numbers of contacting the County regarding reportable communicable diseases
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**Unfinished Business**

- A. By-Laws of the Middlesex Board of Health – Board member Slauson recommended the Board discuss the by-laws at the next meeting when know the status of the board of health officially established by the Town Council. Board member Benson made a motion to table, seconded by Board member Corcoran and carried by a unanimous vote of all board members.
- B. Public Health Interlocal Agreement for 2015-2016– Board President Harrity stated that the Ms. Anello has interacted with the County BOH office and that the process of initiating a new contract form in which the borough BOH is the signatory will require a long(several weeks to perhaps months). The ultimate approval by the Board of Freeholders would likely result in the finalized contract being ready for signatures by the time it was to run out. Furthermore the town attorney had advised that all contracts from the various boards in town are signed by the Mayor already. After discussion it was moved by member

Slauson and seconded by VP Burke to accept the current contract signed by the Mayor as our working contract with the understanding that the next contract to be signed by the BOH president as well as the Mayor. The motion was carried with votes as follows: Benson (yes) Bigge (yes) Burke (yes) Corcoran no; Fedosh (yes) Harrity (yes) Slauson (yes). It was then moved by MS Slauson to rescind the motion made at the February meeting to request that the County issue a new 2015-2016 contract to be signed by the BOH president. It was seconded by member Bigge. The motion was carried by the following roll call vote: Ayes: Benson, Bigge, Burke, Fedosh, Harrity, and Slauson. No: Corcoran. Abstain: None.

- C. Fracking Ordinance – Council Liaison Dotey has not yet presented our proposed ordinance to the whole Governing Body for its input. It is hoped that there will be feedback by our next meeting in order for us to proceed with the consideration of the ordinance.
- D. Permit for Out of Town Food Vendors - Board member Slauson wants to conduct further research in order to help the BOH to develop a rational policy for use of non-profit facilities by profit making entities.
- E. School Communication Regarding Reports of Illnesses Pres. Harrity reported that he has reviewed BOH minutes back through 2009 and no tabulations of communicable diseases were included in those minutes. Nevertheless as outlined above the school nurses have been advised and informed as to the correct process for reporting these and that the County is responsible for initiating correct response if needed for the municipality.

### **New Business**

Massage therapist business permits. This issue produced discussion around the current nature of a 3 year permit vs. the 1 year permit for all other businesses overseen by the BOH. Likely there is historical reasoning for the 3 year permit. There has been some confusion around transferability of the permit to new therapists or business owners and or how to reimburse the previous person for unexpired permit time. However because the members at this meeting were unsure of the relationship of our permit process to that of the State certification that requires more extensive data collection ( and costs) it was decided to table this discussion until Ms. Anello, who will likely know the relationship of our local permit to any State certification process.

It was also discussed that the BOH should look for opportunities in town to have perhaps a table for distributing general health information to citizens. Member Benson will alert the board to upcoming opportunities that she foresees.

## **Website**

The Calendar of Events was posted for the month of March, with the noting that the latter part of the calendar has missed Sunday the 29<sup>th</sup>.

## **Public Portion**

President Harrity opened the meeting to the public for anybody wishing to speak. Seeing that there were no public comments, President Harrity closed the public portion of the meeting.

Board member Benson moved for adjournment seconded by Board member Fedosh and carried by a unanimous vote of members present.