

BOARD OF HEALTH MEETING MINUTES
November 12, 2015

The meeting of the Middlesex Board of Health was held on the above date 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 Revised Sunshine Law Meeting Notice forwarded to the Courier News posted on the website and in the Municipal Building.

Roll Call

Amy Bigge	
Amy Burke	
Charles Corcoran	Absent
Melissa Fedosh	
Thomas Harrity	
Ceil Slauson	Absent

Others in Attendance: Kevin Dotey, Liaison
Terry Brundage, SREHS
Les Jones, County, Health Officer
Mickey Gross, Division Head of Environmental Division

Board President Harrity opened the meeting stating that Mayor Dobies will be appointing a new member, Peyton Yanchurak to our Board at the November 17th meeting of the Mayor and Council.

Minutes

Board Member Fedosh made a motion to accept the October 8, 2015 meeting minutes, seconded by Board Member Burke and carried by the following roll call vote. Ayes: Bigge, Burke, Fedosh. No: None. Abstain: None.

Executive Session: None

Presentation - Both the County Health Officer Les Jones and Division Head of Environmental Division Mickey Gross attended tonight's meeting to give an

overview and to discuss the Administrative Consent Order for the Alternative Dispute Resolution in the Matter of Spray-Tek, Inc. NJDEP PI# 15244.

Part of the Administrative Consent Order (ACO) now constitutes that the Division shall not initiate an investigation of odor complaints at the Spray-Tek facility until it has received three (3) independent complaints within one (1) hour. Independent complaints shall mean that each complaint must not be from the same family or business location or residential unit, i.e., the complaints must be from multiple sources from different addresses and/or apartment units. Mr. Gross stated that when complaints are made regarding Spray-Tek before they respond they will notify Spray-Tek of the complaint. Board President Harrity asked when the ACO takes effect. County Officials stated they didn't know and will get back to President Harrity.

Upon receipt of a complaint, the Division shall advise the complainant of Spray-Tek's "hotline" telephone number.

Spray-Tek agreed to enhance its community outreach program. Spray-Tek shall meet or otherwise communicate with the Division regarding the development of its community outreach program which shall result in a written plan for community outreach. Such outreach program shall be submitted to the Division for approval no later than sixty (60) days of Spray-Tek's initial meeting or communication with the Division.

Spray-Tek and the Environmental Health Division agreed to revoke the alleged four (4) Notices of Violation for a total amount of \$25,000 noting nothing herein contained shall be construed to be an admission by Spray-Tek that it violated any law or administrative rule.

Mickey Gross asked the Board to come up with items Spray-Tek could do for public relations. Board President Harrity will gather the list and forward this to Mr. Gross.

Board President asked if an official or employee from town take the course and get certified in odor compliance. Health Officer Jones stated that only the County can enforce right now but it may require a Memorandum of Agreement between the town, county, and DEP.

Reports

- A. Board of Health Activities Report – SREHS, Terry Brundage presented the Activities Report for October, 2015. Board Member Fedosh made a motion to accept the Activities Report seconded by Board Member Bigge and carried by the following roll call vote. Ayes: Bigge, Burke, Fedosh. No: None. Abstain: None.

- B. Monthly Activities Environmental Report – SREHS, Terry Brundage presented the September, 2015 Monthly Activities Environmental Report. Board Member Fedosh made a motion to accept the Environmental Report seconded by Board Member Burke and carried by the following roll call vote. Ayes: Bigge, Burke, Fedosh. No: None. Abstain: None.
- C. Registrar’s Report - Board Secretary presented the Registrar’s Report for October, 2015. Board Member Burke made a motion to accept the Registrar’s Report seconded by Board Member Bigge and carried by the following roll call vote. Ayes: Bigge, Burke, Fedosh. No: None. Abstain: None.
- D Board of Health Licensing Report – Board Secretary presented the Board of Health Licensing Report for October, 2015. Board Member Bigge made a motion to accept the Board of Health Licensing Report seconded by Board Member Burke and carried by the following roll call vote. Ayes: Bigge, Burke, Fedosh. No: None. Abstain: None.
- E. Environmental Report from Les Jones – None

Bill List – Resolution to Acknowledge All Claims: - \$16, 358.90. Board Member Fedosh made a motion to acknowledge the Bill List seconded by Board Member Bigge and carried by the following roll call vote. Ayes: Bigge, Burke, Fedosh. No: None. Abstain: None.

Correspondence - None

Unfinished Business

- A. Banning tobacco to individuals under 21 – Board Member Corcoran proposed an amendment to Chapter 383, Tobacco Sale of to read as follows:

“It shall be unlawful to sell tobacco or any nicotine delivery products FDA approved excluding nicotine patches and chewing gum to a person under 21 years of age.”

- B. No smoking in Mountainview Park – Board Member Corcoran would like to include all parks in Middlesex Borough be banned from smoking

Councilman Dotey brought both request to the Governing Body and noted that the Governing body is willing to take further consideration for both the Banning of

Tobacco to Individuals under 21 and the No Smoking in Middlesex Borough Parks as long as there is justification and the Board does their homework which includes who and how they will be enforced.

Board President Harrity reported that the Rabies Clinic was a success and thanked Board Members Burke, Slauson, and Council President Kaplan for participating. There were 114 dogs and cats vaccinated.

New Business - None

Website

A. The Calendar of Events was not posted for the month of November. Board Secretary noted that she has not received the Calendar for November.

Public Portion

President Harrity opened the meeting to the public for anybody wishing to speak.

Peyton Yanchurak stated that he spoke with somebody from the Middlesex County Clerk's Office and found out that Spray-Tek registered a \$1 million mortgage for construction in their office.

Seeing that there were no other public comments, President Harrity closed the public portion of the meeting.

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

Kathleen Anello
Board Secretary