

THE REGULAR MEETING OF THE EMERSON BOARD OF HEALTH WAS HELD ON NOVEMBER 14, 2019 AT 7:30 P.M. IN THE COUNCIL CHAMBERS OF THE BOROUGH HALL.

Roll Call: Nicole Argenzia, Cindy Bischoff, Linda Lahey Sue Gibbons and Corey Melillo
Also present were Angela Musella, Health Officer NWBRHC, and Liz Morris, Board of Health Secretary

Apologies: Councilman Knoller

Board of Health Secretary notified the Board of Health members that in case of a fire to follow the Fire Exit sign above the door and exit calmly.

Roll Call: NA –yes CB –yes LL –yes SB –yes CM – yes

The Board of Health meeting was called to order at 7:30 p.m. by Board of Health President Nicole Argenzia.

Motion by Nicole Argenzia seconded by Cindy Bischoff, that the minutes of the October 10, 2019 meeting be approved.

A comment was made that the PTA were informed that if they had any issues with food handling they should be brought to the attention of the Board of Health and/or NWBRHC rather than posting on social media.

Roll Call: NA –yes CB –yes LL –yes SB –yes CM – yes

The Animal and Financial Reports for October were reviewed.

The October report is quite short as there was not much activity. Four dog licenses and one cat license were issued. These were all new pets or new residents with pets. There were two sets of registrar's fees this month because the August fees were late and not included in the September report.

Payment of vouchers

Two standard payments, one to state for dog licenses, \$4.80 and the monthly payment to NWBRHC were made in October. Additionally the annual FRA Technologies fee (\$650) for the use of the MACS database, lead testing activity fee (\$105) and office supplies (\$19.57) were paid.

Northwest Bergen Regional Health Commission Activity Reports for October was circulated to the meeting.

Inspections

There were twelve inspections were done, two were emergency inspections needed because of a sewer problem.

There were no pool inspections in October.

Plan reviews & consultations-None to report

Temporary Licenses-None issued

New Complaints

175-19C-Kinderkamack Road:

Cork & Keg reported a water shortage on October 15th. On visiting Cork & Keg REHS was told there was no water shortage. However, on inspection of adjoining business the sewers at Laurel Chinese and Sendai Sushi were found to be running slowly. Both were instructed to close. A plumber was called and Laurel Chinese allowed to reopen the next day. Subsequently the vacant premises at 176 Kinderkamack was found to have sewage inside their building. The redevelopers were contacted and instructed to clean up. On October 18th an emergency phone call was received by the building department that sewage was seeping out from 176 Kinderkamack Rd. The Emerson Building Department called out the Bergen County Haz Mat because the sewage had run into a storm drain. The seepage was controlled with dirt/sand, the redeveloper's plumber serviced the pipes and AOA Restoration finished the cleanup. The REHS inspected the premises on October 21st and the violations had been abated. No further action required

Existing complaints

137-19C Kinderkamack Road

Sewer back up from a disconnected/open pipe on this property into a stream. First Environment recommended putting lime down. This was done and the incident reported to NJDEP who did not accept the complaint. No further action required.

166-19C Lincoln Blvd

There was a noise complaint regarding construction from a resident living opposite. REHS Supervisor spoke the resident. On checking the code, noise complaints should be investigated by the police so the complaint was forwarded to the Borough Clerk.

Inquiries-None for the month

Animal Bites-No animal bites reported.

Summonses/Abatements/Violations-None for the month

Court Appearances-None

OPRA requests-None

Servsafe Food Handlers Classes- None held during October.

Vital Statistics

There were 10 deaths reported and 3 marriage license issued in October.

Health Education-No classes

Public Health Nursing/Communicable Disease Investigations

There was one case of Pertussis and one case of Shiga-toxin E. coli.

The Emerson blood Pressure Screening was held on September 10. Unfortunately because of a presentation being given to the Seniors at the same time as the clinic there were no patients. To try and boost attendance Corey will send the flyer to the Church of the Assumption so they can include it in their next newsletter

The flu clinic was held November 14 but only two people attended.

Correspondence

Cradles 2 Crayons required a 'Heartsave for K-12' certificate which was faxed to them.

Council Liaison Report

Nicole attended the Mayor and Council meeting and so gave the Council liaison report as Councilman Knoller was absent.

- The Borough is looking for a Qualified Purchasing Officer either an individual who is qualified or through a shared services agreement with another town.
- A list of streets to be paved has been posted on the Borough website.
- Cross River Fiberoptics gave a presentation on installing fiber optics for data centers that transmit personal and private information and require security for transmitting. These will tap into Verizon boxes. The Mayor and Council asked for a second presentation with more detail.
- Volunteer coaches, firefighters, ambulance etc. who work with youth will be required to have annual background and driver's license checks.
- The Mayor and Council are looking into introducing an ordinance to make it more difficult to have second kitchens. New homes will require a variance to have a second kitchen. The definition of a kitchen is a room with a stove.
- Extel had recommended that the Borough purchase new phones as the existing ones are no longer supported. The Mayor and Council said they would leave things as they are.
- Microsoft will no longer support Windows 7. Several computers in borough Hall have Windows 7 so there will need to be a review to upgrade them.
- The Mayor and Council discussed the requirement for a new fence around the parking lot where 58 Locust used to be. This parking lot will provide commuter parking when construction starts on the redevelopment and some of the commuter parking will be lost. The decision was taken to use 6 foot vinyl fencing.
- There was a discussion about the Suez property behind Main St. It has been fenced in because the area has been misused by people creating biking trails, leaving dog waste and trash which can get into the watershed, a source of drinking water. Suez had initially installed cameras but these were stolen. The area is now partially fenced and the intention

is to completely fence it in. People will be allowed in but they will have to have a key will have a cost associated with it. Suez will have details of the individuals who hold keys and will be able to track their usage of it.

There was a discussion about saving the American Legion DeBraun house. Residents have offered electrical, plumbing, roofing services but the American Legion Post own the building so nothing can be done without their permission. There is a meeting planned with them to see if they are willing to have it restored.

OLD BUSINESS:

Discussion, re: Hookah Lounge and anti-vaping

The Borough Attorney was not able to attend the meeting. Nicole has discussed the Vaping Ordinance with him and he said that he has spoken to the State Litigators about the matter. They told him that the State was preparing a statute to ban vaping altogether. If Emerson passes an anti-vaping ordinance it has to at least mimic the State statute. If it does not then it would have to be rewritten and approved a second time. The State Litigator recommended to the Borough Attorney that the Borough wait until the State statute has passed. Nicole said that the Board of Health were trying to be proactive to stop any Hookah businesses opening before the state statute was passed and ban vaping. If the state then pass something which the Emerson ordinance does not match this could be amended. The Borough Attorney said that the Mayor and Council would not approve this because of the view of the State Litigator.

Township of Washington recently had a similar situation. When they tried to prevent the opening of a vaping store, it was overturned by the governing body because there was no ordinance.

The concern was that if a vaping store opens before the State statute has passed it will be grandfathered and there may be no method to remove them. That said if vaping has been banned they will not be able to sell vaping products. The Board of Health has the authority to pass an ordinance which does not have to be approved by the Mayor and Council. However it does have to be reviewed by the Borough Attorney. After further discussion it was agreed that it was more likely to be the Land Use Board that would write and approve this type of ordinance. This would need approval by the Mayor and Council. The outcome of the discussion was that Nicole agreed to email the Borough Attorney to say that the Board of Health would like to write an ordinance to ban a the opening of a Hookah/Vaping store/business in Emerson for the reason outlined above.

Sue will do further research to see what can be done.

Discussion re: Recreation concession Stand Health Inspection

Corey confirmed that recreation teams do use the concession stand to cook hot dogs during games and that it is done at most games. It was agreed that Emerson Board of Health would add the concession stand to their list of food establishments that the NWBRHC inspect on their behalf for 2020. The suggestion is that it would be inspected soon after baseball opening day, towards the end of the spring baseball season and once during the summer season.

NEW BUSINESS:

Discussion re: Shop Rite Flu shot clinic

The Board of Health secretary received a call from the ShopRite dietician asking if the Board was interested in hosting a flu vaccination clinic. ShopRite would provide all the materials and a pharmacist to administer the vaccinations but it should be noted that at the time of the phone call they did not have any high dose vaccine. If the Board of Health is interested in providing this service we would need to provide location and some publicity. The view was if possible, the clinic should be held in the evening or on a Saturday. At these times there would be no Borough staff available to monitor the event so the alternative would be a Board of Health member open the Recreation Center Nurses office and stay for the event. This would need to be approved by the Borough Administrator before the event could be planned and the Board of Health secretary will reach out to him to find out.

Discussion re: 2020 Meeting Dates

The proposal was to continue the meetings on the second Thursday of the month. It was suggested that there was a conflict for Thursday April 9th so this was changed to Thursday April 2nd. This will conflict with the Land Use Board meeting so it was agreed that the meeting will be held in the basement conference room.

Discussion re: Budget

The budget was reviewed and each line item amended as the Board thought appropriate. The changes required by the Board of Health were added to the paper copy and will be given to the CFO by the Board of Health Secretary.

One of the line items discussed was the fees for NWBRHC which will increase by 2% over two years giving an increase of \$510 per year. This led to a discussion about signing of the contracts, specifically whether or not the Board of Health president could sign them. It was agreed that as the Board of Health is an autonomous board the president does have this authority.

Motion by Cindy Bischoff, seconded by Linda Lahey, that the Board of Health meeting be adjourned at 9:21 p.m.

Roll Call: NA –yes CB –yes LL –yes SB –yes CM – yes

Respectfully submitted,
Liz Morris, Board of Health Secretary