

**WARREN BOARD OF HEALTH
MEETING MINUTES
December 12, 2018 – 7:00 pm
2nd Floor Conference Room – Municipal Building
46 Mountain Boulevard, Warren, NJ**

Call to Order: The regular public meeting of the Warren Township Board of Health was called to order at 7:02 pm by Malcolm Plager, Chairman/President.

Flag Salute

The Opening Statement: Adequate notice of this meeting was given on November 9, 2018 by posting a copy on the Township Bulletin Board and by sending a copy to the Township Clerk, Echoes Sentinel and Courier News as required by the Open Public Meetings Act. We plan to adjourn no later than 10:00 pm.

Roll Call:

Dr. DeMarco	absent	Mr. Plager	present
Mr. Morlino	present		
Dr. Sarraf	absent	Alternate #1	
Mr. Lazo	absent	Ms. Burger	present
Mr. Riley	present	Alternate #2	
Mr. Rosenman	present	Dr. Mandal	present

Also present Mr. Chris Kmosko.

Fredi Pearlmutter could not attend but Mr. Plager and Mr. Sumner agreed that based on the content of the meeting her attendance was not critical. All agreed to proceed.

Privilege of the Floor: None

New Business:

Resolution Number 2018-15
Block 36, Lot 1.17
24 Dead River Road
Application: Minor Subdivision
Owner: Evelyn Kmosko
Applicant: Chris Kmosko
Engineer: Wayne J. Ingram, PE
Attorney: Tara Ann St. Angelo, Esq.

Mr. Sumner explained that after discussion with counsel there was a minor change in wording to Condition No. 5 but the intent of the condition did not change.

Mr. Plager called for discussion. Mr. Rosenman asked if the intention was that a garbage disposal unit would never be operated at the address and it was discussed that by township ordinance garbage disposal units are not permitted with septic systems. Members agreed that Condition No. 3 would be amended to state that garbage disposal units are not allowed with septic systems and if any exist they shall be removed. Discussion was held regarding Condition No. 2 and Mr. Sumner explained that since the time the resolution was written it was determined that it was not possible to install an effluent filter on this older system. Mr. Riley asked about risers and lids and Mr. Sumner explained that systems without risers/lids require excavation to access the lid for pumping. Risers bring the lids to ground surface.

The floor was opened for comment. Applicant, Mr. Chris Kmosko, asked if the condition regarding garbage disposal was necessary since it was determined that there is a township ordinance regarding garbage disposals and septic systems and Mr. Plager explained the Board will normally include in the resolution anything it feels necessary at that time.

Motion was made by Mr. Morlino and second by Mr. Rosenman to accept the resolution as amended.

Roll Call:

Mr. Morlino – Yes	Mr. Plager - Yes
Mr. Riley – Abstain	Ms. Burger - Abstain
Mr. Rosenman – Yes	Dr. Mandal - Abstain
Mr. Kmosko left the meeting.	

**Resolution No. 2018-16
Appointment of Registrar**

Motion was made by Mr. Riley and second by Mr. Morlino to accept the resolution.

Roll Call:

Mr. Morlino – Yes	Mr. Plager - Yes
Mr. Riley – Yes	Ms. Burger - Yes
Mr. Rosenman – Yes	Dr. Mandal - Yes

Mr. Morlino asked for explanation of when it is necessary to be sworn in and the response was during a hearing or when giving testimony as opposed to when asking a question or making a comment. A suggestion was made that everyone be sworn in and Mr. Riley added that in his opinion he does not like the practice of swearing Mr. Sumner in at the beginning of the year and feels he should be sworn in at every hearing with the other witnesses to create a uniform record. Discussion included explanation that Mr. Sumner is the board's expert witness, giving factual testimony to be considered by the board in decision making.

Old Business:

Second reading and final adoption of Fees Ordinance 2018-1

Mr. Sumner reminded the board that the ordinance revision was prompted by a request for a review of the food establishment license fees, specifically reducing the fees for smaller locations. Previously the lowest fee was for establishments less than 2000 square feet. Two tiers were added, less than 1500 sq. ft. and 1500-2000 sq. ft. The previous applicant who addressed the board will be paying slightly higher than the adjusted fee of last year but less than the original fee for less than 2000 sq. ft. Other changes were on page 4 – Vital Records fees set by the state were removed; and on page 3 late fees were changed to ½ of the license fee, not to exceed \$100 per month.

New changes to the ordinance not previously discussed included removing Assisted Living and Nursing Home facilities as they are licensed by the state, not the township. Mr. Plager asked who inspects these facilities for cleanliness and addresses issues/complaints and Mr. Sumner answered that it is the state's responsibility. The township only inspects the food facilities, which by definition are considered retail food establishments. Another addition was page 4 "any fees charged pursuant to this ordinance shall be prorated based on the number of months remaining in the year of licensing but no less than one-fourth (1/4) the amount set forth above." It was agreed to add "any fees with the exception of animal licensing."

Mr. Sumner discussed that because there has been an issue with late payments to counsel due to low balances in escrow accounts, some escrow fees were increased. It was determined only the lowest tier needed to be increased and mostly those set at \$500.00 or \$750.00 were increased by \$250.00.

Mr. Sumner reported that with the minor changes, this would be the second reading and passing of the ordinance and it would go into effect immediately, but effectively January 1, for license fees.

Motion was made by Mr. Morlino and second by Mr. Rosenman to adopt the Health Department fee schedule as amended.

Roll Call:

Mr. Morlino – Yes	Mr. Plager - Yes
Mr. Riley – Yes	Ms. Burger - Yes
Mr. Rosenman – Yes	Dr. Mandal – Yes

Middle-Brook Regional Health Commission Representative Report:

Mr. Riley reported that during their last meeting the budget committee met to review budgets put together by Mr. Sumner. The proposed budget alternatives were a 0% increase for the employees of the commission vs. a 2% increase for the employees of the Commission. Based on data presented, the finance committee adopted the 2% increase on the proposed budget. Mr. Sumner also presented an alternate budget with an assumption that Middlesex would join the Commission or come in as a contract partner but that was not presented to the Board, as there is no contract yet with Middlesex. Mr. Riley distributed copies of the budget and it was explained that Mr. Sumner and the Commission complete an audit every so often based on population and services to determine the township's percentage of contribution. Mr. Riley reported that the budget as presented has been adopted by the Commission and has been presented to the Township Administrator.

Mr. Riley also reported that Watchung Council voted on 11/19/18 to allow the MBRHC to join the JIF purchased by Watchung and will be fully insured through that JIF and will not have to purchase any other policies. In adding up previous insurance expenses that provided poor coverage, about \$15,000/year, the insurance expense is going to save approximately \$8,000.00 on the condition that we put half of the savings, about \$4,000.00, into a separate escrow fund to handle any incidental/small claims in lieu of submitting it to the JIF. The net savings should be approximately \$4,000.00 for much better coverage, including general liability of up to \$40,000,000.00 (layered coverage), workers comp, auto, GL, D&O, cyber liability, and employer's liability. A suggestion made that we send a thank you note to Craig Sutherland, insurance agent, once coverage is in effect.

Mr. Riley reported the MBRHC financial reports for October and November were adopted and the Annual meeting was adjourned until spring. In addition, the NJ Department of Health is conducting an audit regarding compliance with state laws. The last audit was conducted approximately 10 years ago. MBRHC discussed communicable diseases, specifically measles outbreak, and had substantial conversation regarding legalization of marijuana and gun control.

Mr. Plager reported he asked the Mayor about the township's position on gun control and marijuana and received a response that at this time the Township Committee was not going to take any action. Mr. Morlino and Mr. Rosenman both asked what authority the municipalities have over marijuana and gun control and it is unclear at this time whether local ordinances will stand up. Mr. Sumner reported he has worked with several associations to develop a position regarding the legalization of recreational marijuana which remains neutral because it has not been determined what the proposed regulations are going to be. The position states that Public Health should be included in the discussion because of their history and experience with tobacco, alcohol, etc. but the MBRHC conversation was more from a health and safety standpoint than regulatory.

Mr. Sumner discussed two conference calls regarding legalization of recreational marijuana, one specifically with the State of Washington that included officials from public health, transportation, and law enforcement. Some of the key issues were; State of Washington setting aside a portion of the revenue for public health education, Colorado's observation of initial increase in motor vehicle accidents and then leveling off. There was also joint testimony between the two houses of the New Jersey legislature wherein revenue, decriminalization, and decrease in incarcerations were key points.

Mr. Sumner was asked if the township's emergency personnel are trained in handling extremely hazardous drugs like Fentanyl and he reported that since last year more research is available regarding responders and secondary transmission and they are becoming more aware of the issue.

There is activity going on with the sewerage authority with regards to sewer plants and existing lines and correcting an issue of infusion of rain water entering the lines and overloading the system. There will be little involvement of the health department unless there is an increase in connections.

Reports of Employees/Health Officer Report:

Mr. Sumner asked to schedule the 2019 meeting dates for the second Wednesday of January, March, May, September and November. It was decided the board will post all of the meeting dates and amend if necessary.

Mr. Plager called to the board’s attention that the township newsletter included a very comprehensive article written by Mr. Sumner, who is also now working with Public Health at the national level, and asked him to discuss. Mr. Sumner reported that he attended the American Public Health Association National Conference in San Diego and participated in a panel discussion with the President of the Association of States and Territorial Health Officials and the Surgeon General regarding a national initiative (1) to promote best practices for community led public health initiatives and (2) assist with making community connections with businesses and other partners. The Surgeon General’s platform, Public Health Departments of Economics, is to promote the fact that increasing the economics of the community will increase the health of the community. Mr. Sumner is also in regular contact with the director of the CDC and traveling approximately once a month to speak to various state associations.

Approval of Minutes: September 12, 2018 Meeting Minutes

Motion was made by Mr. Morlino second by Mr. Rosenman to accept the September 12, 2018 Meeting Minutes as presented.

Voice vote:

In Favor: Mr. Morlino, Mr. Rosenman, Mr. Plager

Opposed:

Abstentions: Mr. Riley, Ms. Burger, Dr. Mandal

Treasurer’s Report:

September 2018 - Receipts	
Receipts for Registrar	\$496.00
Health	\$0.00
Application Fees	\$0.00
Septic and Well	\$255.00
Total Health	\$751.00

September 2018 - Animal Control Receipts	
Dog	\$90.00
Cats	\$0.00
Total Animal	\$90.00

Total Receipts - September 2018 **\$841.00**

September 2018 - Health Disbursements	
Middlebrook Regional Health Commission - 3rd Quarter	\$30,503.25
Marriage License Fee - 3rd Quarter	\$700.00
Registrar Binder - A-Z Tabs - Minute Paper	\$136.00
August Legal Bill - Pearlmutter	\$323.00

Total Health Disbursement	\$31,662.25
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September 2018 - Animal Control Disbursements	
3rd Quarter Animal Control Contract	\$3,628.00
2018 State Dog License Fee - September	\$7.80
Total Animal Control Disbursements	\$3,635.80

Total Disbursements - September 2018 \$35,298.05

October 2018 - Receipts	
Receipts for Registrar	\$488.00
Health	\$525.40
Application Fees	\$0.00
Septic and Well	\$1,175.00
Total Health	\$2,188.40

October 2018 - Animal Control Receipts	
Dog	\$237.00
Cats	\$0.00
Total Animal	\$237.00

Total Receipts - October 2018 \$2,425.40

October 2018 - Health Disbursements	
Printing, Stationary, Forms (name plate)	\$19.45
Conference & Meetings	\$160.00
September Legal Bill - Pearlmutter	\$1,102.00
Total Health Disbursement	\$1,281.45

October 2018 - Animal Control Disbursements	
2018 State Dog License Fee - October	\$25.80
Total Animal Control Disbursements	\$25.80

Total Disbursements - October 2018 \$1,307.25

November 2018 - Receipts	
Receipts for Registrar	\$558.00
Health	\$550.00
Application Fees	\$0.00
Septic and Well	\$280.00
Total Health	\$1,388.00

November 2018 - Animal Control Receipts	
Dog	\$208.00
Cats	\$0.00
Total Animal	\$208.00

Total Receipts - November 2018 **\$1,596.00**

November 2018 - Health Disbursements	
Legal Advertising	\$46.18
Protective Clothing	\$198.33
2019 REHS License Membership Dues	\$50.00
Middlebrook Regional Health Commission - 4thQuarter	\$30,503.25
Total Health Disbursement	\$30,797.76

November 2018 - Animal Control Disbursements	
4th Quarter Animal Control Contract	\$3,628.00
2018 State Dog License Fee - November	\$9.00
Total Animal Control Disbursements	\$3,637.00

Total Disbursements - November 2018 **\$34,434.76**

Question about the increase in septic deposits in October and Mr. Sumner responded it was alterations/repairs/inspections, not new systems. Regarding Wagner Farms testing/boring Mr. Sumner has requested that the township keep the Health Department advised and Mr. Plager asked if Mr. Sumner could find out the results for the next meeting.

Motion was made by Mr. Riley and second by Mr. Rosenman to approve September, October and November Financials as presented.

Voice Vote:

In Favor: Mr. Morlino, Mr. Riley, Mr. Rosenman, Mr. Plager, Ms. Burger, Dr. Mandal

Opposed:

Abstentions

Adjournment:

Motion was made by Mr. Rosenman second by Mr. Morlino to adjourn the meeting at 8:40 pm carried by a unanimous vote.

Respectfully submitted,

**Donna Hands
Administrative Secretary
Warren Township Board of Health**