

Minutes of the Regular Meeting of the Morris Plains Board of Health, held on March 12, 2014, in the Council Chambers, Borough Hall, 531 Speedwell Avenue, Morris Plains, New Jersey.

The following members were present:

Present: Mrs. Catherine Marshall  
Mrs. Pam Nelson  
Dr. Dario Fenimore  
Mr. Jack Doherty

Attending: Mr. John McDermott – Environmental Health Specialist  
Mr. Frank Mangravite – Council Liaison  
Mrs. Carole Howell – Secretary

#### Call to Order

Mrs. Marshall called the meeting to order at 7:35 PM, declaring that adequate notice of this meeting has been published and posted in accordance with Chapter 231 of the Public Laws of 1975, "Open Public Meetings Act."

#### Approval of Minutes

Mrs. Nelson made a motion to approve the Minutes of the Regular Meeting held on January 8, 2014, as circulated. Dr. Fenimore seconded the motion. All were in favor. Mrs. Nelson then made a motion to approve the Minutes of the Reorganizational Meeting held on January 8, 2014, as circulated. Mr. Doherty seconded the motion. All were in favor.

Mr. McDermott began by pointing out the highlights of the Monthly Report compiled by the County. He went over the disease report, the nursing report, the balance class being run by Arlene Stoller and the Ordinance being proposed. Mrs. Marshall mentioned that she wished Cindie Bella could reach more seniors. She asked for any suggestions Board members might have. Mr. Mangravite mentioned the existence of a list of seniors that would need help in the event of a storm. Perhaps they could be contacted now.

Mr. McDermott noted that Primavera's reconstruction is in progress. He has spoken to the property manager and finds that they are keeping the same format inside the premises. They submitted the plan to him this past week. They are hoping for a Spring opening.

John received a complaint about the lack of cleanliness in an eating establishment. The customer was complaining of ketchup on the seat, litter on the floor, cups with dirty rims and hair in the food. John was surprised to hear the complaint, since he had been there only 10 days earlier. His revisit upon hearing the complaint found the same cleanliness he had witness the first time. He was pleased with the new dishwasher they have installed.

A supermarket received a complaint about their lobster tanks being cloudy. John noted that they have been experiencing difficulty keeping the water clear. Their parent company does come in monthly to check on this problem, as well as John.

John was handed a phone message that the secretary received today. It was from a resident of Foxwood regarding the feces left by the neighbor's dog out in the snow all winter. John plans to follow up on it immediately.

Mr. Mangravite then mentioned that the Board is still not receiving Animal Control Reports from Denville. After meeting with Denville in January, he received promises of regular reports. They had agreed to email reports to the Board that included more details than previous reports, but so far nothing has come in. They had assured Mr. Mangravite that they currently have room for all cats taken in and the resources to keep them. The one thing Mr. Mangravite did receive was a draft of a monthly report from the Business Administrator that has even less information than the Annual Report for 2013. Mr. Doherty added that the cat problem on his street continues and needs to be addressed by Animal Control. Mr. Mangravite asked Mrs. Marshall to call the Business Administrator, Steve Ward, to ask him for more complete reporting to the Board.

#### New Business

Passage of Ordinance #1-2014 on Retail Food Establishments upon second reading.

Mrs. Nelson read by title the ordinance entitled Ordinance No. 1-2014 - An ordinance of the Board of Health of the Borough of Morris Plains repealing Article 7, entitled "Retail Food Establishments" as set forth in Appendix A of the "Revised Ordinances" of the Borough of Morris Plains, New Jersey, 1972, and replacing it with a new Article 7 entitled "Retail Food Establishments" to provide for the licensure and regulation of Retail Food Establishments.

Which ordinance was introduced and passed on first reading at a meeting held on January 8, 2014.

Mrs. Marshall then read the following:

I Board Member Catherine Marshall read the following notice and ordinance by title and stated that the Notice and Ordinance had been posted on the bulletin board in the Municipal Building and that copies had been made available to members of the General Public.

The acting Board President announced that the meeting was open for a public hearing on the ordinance and stated that any taxpayer of the Borough of Morris Plains and all parties and persons in interest and citizens may be heard:

The Acting President closed the public hearing.

Thereupon I (Board Member Pamela Nelson) offer the following resolution and moved its adoption:

**RESOLVED**, that the above ordinance as read by title on Second Reading, at this Meeting, be adopted and finally passed.

Board Member Jack Doherty seconded the motion. The Acting President ordered the Secretary to call the roll on the passage thereof and the vote was as follows:

Board Member Marshall - yes Board Member Nelson - yes Board Member Fenimore - yes  
Board Member Doherty - yes

The Acting President declared the ordinance adopted and finally passed, approved the same and ordered the Secretary to publish the proper notice thereof in the newspaper and to record the ordinance in the proper place.

Massage Parlor Ordinance - Mrs. Marshall noted that Carlos Perez and Gail Fraser have worked diligently to edit the proposed ordinance. Every Board Member has received a copy of the edited version with proposed changes noted in red. Carlos Perez is willing to attend the next meeting, if the Board has any questions for him. In the meantime, the Board began studying the proposed changes throughout the entire ordinance.

Mr. Mangravite proposed a meeting between Carlos, Gail Fraser, Cathy Marshall and June Uhrin to go over the ordinance. Mrs. Marshall feels that the Inspectors should also be included, since it will probably have an impact on their inspections. Mrs. Marshall will contact all parties to set up such a meeting, as soon as possible. Dr. Fenimore agreed that the Clerk's input is vital to the meeting being set up.

With no further business to come before the Board, Dr. Fenimore made a motion to adjourn. It was seconded by Mrs. Nelson. Voice vote. The meeting was adjourned at 8:55.

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Carole J. Howell  
Secretary