

Minutes of the Regular Meeting of the Morris Plains Board of Health, held on October 9, 2013 in the Council Chambers, Borough Hall, 531 Speedwell Avenue, Morris Plains, New Jersey.

The following members were present:

Present: Mrs. Peg Dugan
Mrs. Catherine Marshall
Mrs. Pam Nelson
Mr. Jack Doherty

Absent: Dr. Dario Fenimore

Attending: Mr. Carlos Perez, Health Officer
Mr. Frank Mangravite, Council Liaison
Mrs. Carole Howell, Secretary

Call to Order

Mrs. Dugan called the meeting to order at 7:30 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

Mr. Doherty made a motion to approve the Minutes of September 11, 2013, as circulated. Mrs. Marshall seconded the motion. All were in favor.

Members of the Public

Mrs. Dugan welcomed the two guests and asked them to introduce themselves. They were Nancy Logan of 69 Maple Avenue and Anita Berry of 90 Maple Avenue. They stated that Mr. Mangravite had invited them to attend the meeting to make the Board aware of their feelings toward the cat situation in the Borough at the present time.

Mrs. Logan stated that she feels frustrated. She found a mother cat behind her shed on Memorial Day weekend with 3 kittens. Although 2 of the kittens were captured and subsequently adopted, the third remains free to roam the neighborhood. Obeying the Borough's Ordinances, she is not allowed to feed this stray. But the mother cat will continue to have litters of kittens. Mrs. Logan is asking the Board to educate the community about these cats. She feels that our Animal Control Officer should have been notified immediately of the problem. She herself has researched other towns, studying those with TNR (Trap, Neuter & Release) programs in effect. She has heard that there is a woman feeding stray cats on Keenan Place. She believes that the cats don't necessarily leave if they are not fed. The mother cat will fight to stay there and will keep other cats away. She believes that our Mayor feels that these cats are a potential rabies problem. But she doesn't believe they would attack anyone. She wants to be a part of the solution. She feels that maybe the Borough needs a separate facility for these cats. She also believes that our Animal Control Officer needs more manpower. Mrs. Logan stressed that she does not want to see these cats put down. She wants to see changes made. Mrs. Dugan agreed that cats have become a problem in the Borough.

Mr. Mangravite then asked if anyone has been feeding the cats in Mrs. Logan's neighborhood. She isn't feeding them but doesn't know about anyone else. She would like to feed them, since they have the

positive effect of keeping rodents out. But she respects our Ordinances and will not feed them. She has also spoken with people in other states, who have given her some helpful information. Mr. Mangravite then told Mrs. Logan about the letter that was sent to everyone living on Forest Court, Forest Avenue and Forest Drive, related to the Borough's Ordinance banning the feeding of strays. Mrs. Logan would like the letter sent to other areas of the Borough. She has a great deal of sympathy for these animals. She wants the residents to know that they should call Animal Control if they spot a stray. Mrs. Dugan assured her that such information is posted on the Borough's web page. Mrs. Logan closed by saying that if she can do anything to help with this cause, she would be glad to.

Mrs. Dugan concluded that the Board has work to do on this matter and will let Mrs. Logan know if help is needed. Mrs. Dugan added that the Board will proceed on the matter. She thanked both ladies for their visit.

Environmental Health Specialist's Report

Mr. Perez began with a report from Animal Control about a resident walking her dog. Her neighbor's pit bull tried to attack her dog. Fortunately, 2 men in a nearby car stopped to help her. She is asking that the pit bull's owner be charged with harboring a dangerous animal and wants the dog impounded. Mr. Perez assured her that the case is going before a judge for a hearing. The judge will decide whether or not the dog is potentially dangerous. If it is declared vicious, it would be destroyed.

Mr. Perez then informed the Board that the Animal Control Officer does not want to pursue the case against the dog, since there is no evidence of any injuries. The dog walker stated that one of the rescuers was injured. But there has been no proof of any injury or treatment. Mr. Perez referred the case to the Denville Police.

Mr. Perez then noted that he has spoken to Meredith Petrillo, the Animal Control Officer, at length about TNR and he does not endorse the idea. He has asked for the addresses of residents feeding strays but has not received any.

Nursing Report

Carlos reported that there were 4 cases of Lyme Disease, which is the number one reportable disease in Morris County. He reported that the health education being offered by Cindie Bella is very well received in the Borough. There have already been 10 residents interested in a balance class to be offered by the Health Educator, Arlene Stoller.

Inspections

Carlos informed the Board that the eating establishment called Fresh Tortillas has been sold and will reopen as Healthy and Delicious. He will let the Board know when an opening date is set. The satellite Dunkin Donuts by Bottle King is closed for renovations. He is still awaiting their plans.

A small restaurant was reinspected for problems dealing with refrigeration temperatures. Everything had been corrected by the second visit.

Carlos also dealt with an alleged problem with the lobster tank in a supermarket. The filtration system has now been repaired.

Carlos reported that every food establishment has been inspected twice this year.

Carlos reported that a Health Inspector reported a problem with poison ivy at a residence. The neighbor had complained about an overgrown yard. The subsequent inspection revealed not only the overgrowth but also a pool with stagnant water, as well as the poison ivy. The pool problem was forwarded on to the Mosquito Commission.

Carlos also reported about some flooding in a residence. The Building Inspector conducted an inspection. Carlos sent one of his inspectors, Elizabeth Doory, to photograph the house.

Board Member Dougherty asked Carlos if he could check with Meredith about the cat situation in the Forest Court neighborhood. He believes there are still 3 – 4 stray cats roaming around. There are currently 37 cats being held in cages that have been taken from Morris Plains.

Mrs. Dugan stated that sending a letter to residents, educating them on the Ordinance, would be a good first step.

Councilman Mangravite noted that Meredith had agreed to keep the Board up-to-date with emails and so far none have been received. No Animal Control Reports have been sent to the Board since July. He asked the Board if they would like a monthly disposition report and they agreed that they would. This could be emailed to the Board by the Police Officer compiling the report. Carlos mentioned that he only receives reports of dog bites from Animal Control. Mrs. Dugan plans to send any reports she receives on to Mr. Perez. It was concluded that the Board will be agreeable to any type of contact regarding reports from the Animal Control Officer.

Mr. Doherty made a motion that the Board go into Executive Session to discuss personnel matters. Mrs. Nelson seconded the motion.

Roll Call: Mrs. Dugan - yes
 Mrs. Marshall - yes
 Mrs. Nelson - yes
 Mr. Doherty - yes

Motion carried.

Mrs. Marshall read the following: Be it resolved by the Board of Health of the Borough of Morris Plains on the 9th day of October, 2013, that:

1. Prior to the conclusion of this Regular Meeting of the Board President and Board of Health, Members of the Borough of Morris Plains, which Regular Meeting has been opened to the public. The Board President and Board Members shall meet in Executive Session, from which the public shall be excluded, to discuss matters as permitted pursuant to N.J.S.A. 10:4-12, sub section:
 - b. (8) personnel matters

Boardmember Doherty moved that the Board of Health close the Executive Session and re-open the Regular meeting at 8:55 PM. Seconded by Boardmember Nelson. So ordered.

Peg Dugan, President

Mrs. Dugan then reopened the Regular Meeting. The Board then received packets from Mr. Perez regarding the Codes. He mentioned that the Public Nuisance Code needs to be updated, since some portions of it no longer exist. He proposed updating Codes on the following:

- a. Milk vending machines
- b. Septics
- c. Sewage
- d. Food Establishments
- e. Bathing

The Board agreed that these ordinances will be addressed and updated in the upcoming months.

Bills

Fliers for the Wellness Day from Pinnacle Graphics - \$185

Mrs. Nelson made a motion to approve payment. Mr. Doherty seconded the motion.

Roll Call: Mrs. Dugan - yes
 Mrs. Marshall - yes
 Mrs. Nelson - yes
 Mr. Doherty - yes

Motion carried.

Banner for Wellness Day from E Signs - \$70.20

Mrs. Nelson made a motion to approve payment. Mr. Doherty seconded the motion.

Roll Call: Mrs. Dugan - yes
 Mrs. Marshall - yes
 Mrs. Nelson - yes
 Mr. Doherty - yes

Motion carried.

County Health Services for the Second Quarter of 2013 - \$14,709.39

Mrs. Nelson made a motion to approve payment. Mr. Doherty seconded the motion.

Roll Call: Mrs. Dugan - yes
Mrs. Marshall - yes
Mrs. Nelson - yes
Mr. Doherty - yes

Motion carried.

Correspondence

Fliers from First Environmental

Publicity

Mrs. Marshall reported that all of the pertinent information for Wellness Day has been put on the Borough Web Site, as well as in the latest edition of Plains Talk.

Council – Mr. Mangravite brought the Board up-to-date on the Honeywell plans.

Wellness Day – Final details were worked out by the Board for set-up and supplies needed for the Wellness Day.

With no further business to come before the Board, Mrs. Nelson moved that the meeting be adjourned. It was seconded by Mr. Doherty. Voice vote. The meeting was adjourned at 9:45 PM.

Carole J. Howell, Secretary