

**WATCHUNG
BOARD OF HEALTH
MINUTES
September 15, 2010**

CALL TO ORDER-

President's Statement-

Under the provisions of N.J.S.A. 10:4-6 et seq., notice of the time and place of this meeting has been posted and sent to the official newspapers.

ROLL CALL-

Robert Riedinger (P), William Nehls, Council Liaison (P); Harriet Stambaugh (P); Fran Ellis (P); Mary Mobus (A); George Pogosky (P); Bruce Ruck (P); John Sachariah (P); Peter Savulich (P)
Representative for Middle-Brook - Robyn Key

CONSENT AGENDA:

APPROVAL OF MINUTES OF June 16, 2010 MEETING

Fran Ellis moved to accept the minutes of June 16, 2010, seconded by Bruce Ruck, all in attendance were in favor.

Report of Vital Statistics for :

<u>JUNE</u>	<u>JULY</u>	<u>AUGUST</u>
Births - Male- 2 Female- 0	Births - Male- 1 Female- 3	Births - Male- 3 Female- 1
Deaths- Male- 0 Female- 4	Deaths- Male- 1 Female- 2	Deaths- Male- 1 Female- 1
Marriages- 3	Marriages- 1	Marriages - 1
Domestic Partnerships – 0	Domestic Partnerships – 0	Domestic Partnerships - 0
Civil Unions - 0	Civil Unions – 0	Civil Unions - 0

HEALTH OFFICERS REPORT FOR - June/July/August (Robyn Key)

Robyn explained the reason the discussion on the 1 Ridge Road Septic System had been cancelled. She suggested they not come after she reviewed their plans. They are clearly not ready to come before the Board. They wanted the Board to vary the State Law. Bill stated we cannot make a variance on State Law. She suggested they redo the design - they may not need a variance after they do the design. But if they do they would come to our next meeting or request an emergency meeting. Bob asked if the current system is failing or is it undersized for the size of the house. Robyn said it was a 2 bed system designed before the current law. The pipe going to the Black Water system broke and it caused everything to go to the Gray Water system causing that to overload and malfunction. They wanted to completely take out the Gray Water system – replace the broken pipe to the Black Water system and only use that - It is a 5 bedroom house and by doing that it is below what the State requirements are. Systems are based on number of bedrooms and soil tests. Robyn will take a look at the site to see if there is a problem with the system.

There was a question why they do not just hook-up to the public sewer system. This house is not able to connect because of their location. Bruce asked how much a septic system costs to put in. Robyn said an average system costs about \$40,000 (there is \$60,000 in an escrow account).

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There was a question about the rat problem in the area. Robyn said she did find one rat hole on a Brookdale property and some rat burrows at the Brook Hill Swim Club. She informed them to get an exterminator.

Bruce questioned the property that has the signs on their property saying "poison, don't let your dogs eat this. He has no problem with this if it is a pesticide for bugs, etc. His concern is if there really was a poison put down that could harm an animal (dog, other animal or even a child). Robyn said any application done incorrectly is a violation of federal law. Robyn said the pest control company responded to her. Bruce said this was put down by the homeowner - he thinks they should remove the signs or let us know what the poison is. Robyn has tagged the door, and been there twice with no response from the owner. It is probably just a deterrent. Bill asked Robyn to look into what legal avenues we have to require some sort of answer from the homeowner.

REPORT OF REPRESENTATIVE TO MIDDLE BROOK – June/July/August (Bill Nehls)

Fran questioned the IRS Lien (June report) and then this year it was because the IRS lost the paperwork. No fines or penalties were issued to the Commission. It had to do with the paycheck company not send in the employee withholding taxes. Kevin resolved the situation. He had to re-file all the paperwork again.

Bill updated the Board on Bound Brook:

Bound Brook has stated they only owed the Commission a total of \$85,000 plus the VNA fee. The Commission had to let Heather go. Bound Brook said they only have to pay her salary. That is not correct because that would not include her pension, health insurance, etc.

Kevin has come up with a figure for the first 6 months of this year for them of \$63,000 and a projection for the next 6 months at approximately \$28,000.

If you look at the monthly reports from Middle-Brook there has been a lot of time spent in Bound Brook. Robyn has been spending a lot of time there on the Food Stuff. We want to continue to help these people so they can open their businesses – but we will end up picking up the cost of this.

They started the meeting with Mayor Pilato – that did not work out. The Commission recommended we have a Mayors' meeting, which Mayor Ellis was kind enough to host, and we had all the Mayors here from the six towns. It was just a continuation of finger pointing with Mayor Pilato saying it is all the Commissions fault and we took Heather away without any notification. If we left Heather there it would have been much more than \$63,000. Their Board was notified regarding the removal of Heather. Mayor Pilato claims that Kevin did not talk to him. Kevin has made numerous attempts to talk to their Administrator who has not returned any of his calls. Everything, in draft, went to their Board. There have been no Board Members or Council liaison from their town at any Commission meetings in over 6 months (possibly closer to a year). There has been a breakdown of communications on both sides but Mayor Pilato is using this as an excuse. The two recommendations coming out of the meeting with the Mayors are that we are going to have more conferences like this with the Mayors and do a mid twice a year so they know where we are at. We are an independent organization but the

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money comes from the towns. We approve the costs and approve the budgets. Bound Brook approved their portion (\$125,000 for the year) of the budget for the Commission but their Mayor and Council feel they don't have to comply with that and there is nothing we can do to force that issue. The only alternative the Commission had was to notify the State and Bound Brook that we are cutting ties with them. We did say we are willing to work with them, and willing to Contract with them. The Mayor of Middlesex suggested that Bill sit down with Mayor Pilato, their Board of Health and Kevin to try to work some sort of arrangement. Kevin sent that email to Randy, the Administrator of Bound Brook, but has not heard anything. They have been given a six-month notice that they have until February 2011 to work out the situation or they are no longer members of the Commission.

Bob asked what will happen when Bound Brook needs inspections, etc. Bill said their options are very limited. Kevin will respond or Robyn will respond. They will get emergency services only. Harriet though we should be charging them for services now. Bill said they are not out of the Commission yet. Legally we had to give them a six month notice. They were given the letter in July. They have spend \$63,000 already and Kevin has to be careful about the leftover money (\$25,000) so it does not exceed what they have paid. From what Bill has been hearing and what is on the Monthly reports they will not have much left by the end of this year. As soon as that \$85,000 is used Bill said we are done with them and we will not do anything for them – they will have to go to the County for services. Robyn said Bill has to make sure he tells Kevin this because he is the one who would send her there for service. He said as far as he is concerned we have met all our obligations by informing both the State and Bound Brook of the situation. Bound Brook disagrees on the amount they have used already. They say they only owed half of Heathers salary – they are saying only around \$40,000 and the \$85,000 should give them full services for the year. Kevin needs to do something about this – he has to inform the Administrator officially exactly what the total we consider paid to date is and what the remaining amount is and that once that money is used they will no longer have services from the Commission. We will not allow it to go over the \$85,000 because the other towns in the Commission are not going to subsidize Bound Brook.

Bruce asked what is going to happen after Bound Brook is out of the Commission. Where does that leave the remaining towns? Bill could not answer that at this time.

Bill informed the Board that he would not be accepting reappointment for the Board next year and also not for the Commission. It has been 18 years and he feels he should step down. He also stated that as of next year we have to appoint two (2) people to go to Middle-Brook Commission meetings. **This is a must. Watchung has to be there because we have to vote.** In all of the 18 years Watchung has led the Middle-Brook with all the new innovations, etc. He hopes we can continue that.

UNFINISHED BUSINESS-

Discussion on K2/Spice - possible Town Ordinance to regulate – K2/Spice

- Bruce reported it is illegal in many states. At this time he does not see a major problem in the

Watchung area. Any Ordinance would have to come from the State.

There is nothing new on Marijuana legalization in New Jersey.

New Business:

- Review Draft Ordinance for Impounding Fees
- Article – Prohibition of Smoking in Enclosed Public Places and Public Areas of Employment
- Commission License Fees
- Ordinance – Fees
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It was suggested that Board Members review all of the above and email any comments to MaryAnn by October 1st so they can then go to the Laws and Ordinance Committee.

CORRESPONDENCE:

Received:

- June 17, 2010- State Fish & Game Council – regarding “free-roaming” cats (feral).
- June 19, 2010-Fax received from Bruce Ruck, Re: K-2
- July 14, 2010-Letter received from RCC-Re: 25 year water use plan (Sears Auto)
- July 19, 2010-Fax from County –Summary report on H1N1 Virus 4/25/09 to 3/31/10
- August – Roxdane Kennels – List of Activities through 7/31/10 – includes an invoice for \$1,200.00 (added to voucher to be approved).

There was no discussion on the correspondence.

Sent:

- June 10, 2010 -Letter sent by Engineers Office to Americo & Maria Seabra, Re: Land Disturbance Permit

No discussion.

MIDDLE BROOK

Items for discussion – attached list

No Discussion

VOUCHERS SUBMITTED FOR PAYMENT-

Roxdane Kennels – July/August/September & additional fees-	\$ 3,860.88
Middle-Brook Regional Health – 3rd Qtr 2010 -	\$19,775.00
Moore Wallace – Safety Paper for Certified Copies -	\$ 133.16

Motion to approve moved by Fran Ellis and seconded by Harriet Stambaugh - all in favor

President Riedinger requested a roll call:

Ellis, Nehls, Pogosky, Sachariah, Savulich, Stambaugh, Ruck and Riedinger
All members in attendance approved the payments.

PUBLIC PORTION: No members of the Public were in attendance

Prior to adjournment, Bob thanked Bill for all his years of service to the Watchung Board of Health and Middle-Brook Health Commission. His expertise has been extremely beneficial to us.

ADJOURNMENT- Motion to adjourn moved by Harriet Stambaugh and seconded by Fran Ellis
All in favor.

The next scheduled meeting will be held on November 17, 2010 at 7:00 PM at Borough Hall,
15 Mountain Blvd., Watchung, NJ 07069.

Respectfully submitted,

MaryAnn Hance