

DOVER BOARD OF HEALTH
Regular Meeting via Teleconference
June 14, 2021 6:07 pm

MEETING CALLED TO ORDER / SUNSHINE STATEMENT

After waiting several minutes for attendees to call-in on the teleconference, Trevor Weigle, Health Officer (HO), asked the President, Darlene Kasko, to start the meeting.

President Darlene Kasko called the meeting to order and stated the meeting was being held in accordance with the Open Public Meetings Act, also known as the Sunshine Law, and duly posted and advertised in the Daily Record and the Citizen.

Vice President Alessandra Scarneo called the **ROLL**.

ROLL CALL

Name	Present	Absent	Excused
Darlene Kasko	X		
Alessandra Scarneo	X		
Rosita Scinto	X		
Rhoda Myles	X		
Javier Mauricio Herrera		X	
Janice Anthony, Alternate	X		

ALSO PRESENT

Trevor Weigle, Health Officer
Derrick Webb, Ass't Health Officer
Judith Rugg, Alderman/Liaison
Ary Orama Galloza, Registrar
Donald Costanzo, Assistant

President Kasko entertained a motion to accept the minutes from the April 12, 2021, regular meeting of the Board of Health via teleconference.

A motion to accept the minutes from the April 12, regular meeting of the Board of Health via teleconference was made by Rhoda Myles and duly seconded by Rosita Scinto.

ALL YEAS; NO NAYS.

Name	Motion	Second	Ayes	Noes	Abstain
Darlene Kasko			X		
Alessandra Scarneo			X		
Rosita Scinto		X	X		
Rhoda Myles	X		X		
Javier Mauricio Herrera					
Janice Anthony, Alternate			X		

CORRESPONDENCE:

No significant correspondence.

UNFINISHED BUSINESS:

Trevor Weigle, HO, provided the board the following overview of past activities including the latest COVID information:

- COVID-19: the declining number of cases indicates improving conditions. As of June 11th, 2,846 cases and no new cases in the last week which is the best since the beginning of the pandemic. Mortality statistics show 75 deaths; only one (1) of which since May 3rd. As of June 9th, 60% of Dover's populations has completed COVID vaccinations. Five (5) municipalities in Morris County lower vaccination rates.

Alessandra Scarneo asked the Health Officer (HO) how many children were vaccinated in the 12 – 16 year-old age group. The HO responded that the data that he viewed did not specify that age group.

Darlene Kasko commented that her home-bound Aunt received the J&J vaccine at home. The visit and vaccination was coordinated through the Morris County OEM. Ms. Kasko stated that the service was excellent and very nicely administered.

NEW BUSINESS:

1st Order of New Business: COVID Vaccination Clinic

The health department partnered with Saint Clare's Hospital and St. John's Episcopal Church to provide COVID-19 vaccinations on June 12th, from 9:00 am – 3:00 pm outside at St. John's Church on 11 S. Bergen Street.

Derrick Webb, Assistant Health Officer, provided a brief overview of the above-cited vaccination clinic. The Saturday program was designed to reach those who were vaccine hesitant and/or lacked transportation. 34 persons were vaccinated. Overall, the program was successful.

2nd Order of New Business: Ordinance Amendments

The HO stated that after completing a fee survey of nearby towns for the purpose of updating and amending fees charged by Dover, as well as a preliminary review and acceptance by administration, the following proposed ordinance amendments were presented to the Board of Health for review and promulgation:

- 1. Retail Food Establishment License & Late Fee**
- 2. Vital Records Establishment of Fees**
- 3. Recreational Bathing Establishment of License Fee**
- 4. Animals Violations and Penalties**

Discussion:

Darlene Kasko asked when the ordinance amendments will take effect. The HO responded that they would become effective after passage on second reading which would occur at the board's next regularly scheduled meeting on October 18th.

Alessandra Scarneo asked if 2nd reading could be done sooner. The HO responded that if the board did not want to wait to October, it could have a special meeting earlier provided it complied with applicable sunshine laws.

Relating to the animal violations and penalties amendment, Darlene Kasko asked about the dog census, as it was an effective way to get pet owners to license their animals. A discussion of past dog census' unfolded indicating that none have been done in many years as the current law does not require them anymore.

The HO stated that he would look into the possibility of doing a dog census.

Darlene Kasko asked if the ordinance amendments are passed, would residents be notified of the new fees. The HO responded that with the exception of the penalty section of the animal ordinance, the new fees will be posted on the department's web page and retail food fees will be included with notices of renewal for the 2021 calendar year.

At the conclusion of discussion...

...a motion to introduce the following ordinances amending:

Chapter 407, Article I, "Food-Handling Establishments, Retail," Section 4, Subsections B & D of the Revised General Code of the Town of Dover; and,

Chapter 401-1, "Establishment of Fees," Subsection A, "Vital Statistics," of the Revised General Code of the Town of Dover; and,

Chapter 427, "Public Recreational Bathing," Section 427-3, "License Fee," of the Revised General Code of the Town of Dover; and,

Chapter 395, "Animals," Sections 395-4 and 395-10 "Violations and penalties," of the Revised General Code of the Town of Dover.

was made by Alessandra Scarneo, and duly seconded by Rhoda Myles.

The ordinances amendments read as follows:

Retail Food License Fees

An ordinance of the Board of Health of the Town of Dover, County of Morris and State of New Jersey, amending Chapter 407, Article I, "Food-Handling Establishments, Retail," Section 4, Subsections B & D of the Revised General Code of the Town of Dover

WHEREAS, the Board of Health has recommended several changes to Chapter 407, Article I, entitled "Food-Handling Establishments, Retail"; and

WHEREAS, the Board of Health has requested that said Ordinance be prepared to reflect an amended fee schedule.

NOW, THEREFORE, BE IT ORDAINED, by the Board of Health of the Town of Dover, County of Morris and State of New Jersey that:

Article I

SECTION 4.

B. entitled “Fees” shall be amended as follows:

<u>Type of Establishment</u>	<u>Annual Fee</u>
a. Restaurant, hotel, café, tavern, luncheonette, diner, soda fountain, food market, delicatessen, bakery, or similar establishment:	
1. Total floor area less than 5,000 square feet	\$300.00
2. Total floor area between 5,000 and 10,000 square feet	\$350.00
3. Total floor area greater than 10,000 square feet	\$400.00
b. Food Vending Vehicle, Caterers	\$300.00
e. Child Care Centers	\$ 75.00
f. Ancillary Food Vendors for Seasonal Events	\$200.00
g. Temporary License	\$ 75.00
h. Reinspection fee necessitated by conditional Satisfactory or unsatisfactory classification	\$150.00

Subsection 4 (D) shall be amended as follows:

D. Licenses issued or approved under the provisions of this chapter shall expire annually December 31 of each year, and application for renewal thereof shall be submitted together with the required fee.

New licenses issued after May 31 shall be assessed a pro rata 50% of the annual fee contained in Subsection B with said license expiring on December 31.

(1) Late Fee: \$100.00. Penalty imposed in connection with failing to renew license charged after January 31 of the licensing year.

SECTION 5. All Ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

SECTION 6. If any article, section, subsection, paragraph, phrase, or sentence is for any reason held to be unconstitutional or invalid, said article, section, subsection, paragraph, phrase or sentence shall be deemed separable.

SECTION 7. This Ordinance shall take effect upon final publication as provided by law.

Vital Records Fees

An ordinance of the Board of Health of the Town of Dover, County of Morris and State of New Jersey, amending Chapter 401-1, “Establishment of Fees,” Subsection A, “Vital Statistics,” of the Revised General Code of the Town of Dover.

WHEREAS, the Board of Health has recommended several changes to Chapter 401 entitled “Fees”, said Ordinance which regulates fees for vital statistics within the Town of Dover; and

WHEREAS, the Board of Health has requested that said Ordinance be prepared to reflect an amended fee schedule.

NOW, THEREFORE, BE IT ORDAINED, by the Board of Health of the Town of Dover, County of Morris and State of New Jersey that:

SECTION 1.

401-1 (A) entitled “Establishment of fees” shall be amended as follows:

A. VITAL STATISTICS:

Document	Fee
(1) Certified copy of a birth, death, marriage, civil union, or domestic partnership certificate.	\$25.00
(2) Preparation of a correction of a birth, death, marriage, civil union, or domestic partnership certificate.	\$50.00
(3) Certification of a birth, death, marriage, civil union, or domestic partnership certificate or a certified copy of a correction to a vital record.	\$10.00

- (4) Search fee for a vital record of a birth, death, marriage, civil union or domestic partnership certificate where the date of occurrence of the event is unknown. This fee shall be in addition to the fee for the copy. \$3.00 per year

SECTION 2. All Ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

SECTION 3. If any article, section, subsection, paragraph, phrase, or sentence is for any reason held to be unconstitutional or invalid, said article, section, subsection, paragraph, phrase or sentence shall be deemed separable.

SECTION 4. This Ordinance shall take effect upon final publication as provided by law.

Recreational Bathing License Fee

An ordinance of the Board of Health of the Town of Dover, County of Morris and State of New Jersey, amending Chapter 427, “Public Recreational Bathing,” Section 427-3, “License Fee,” of the Revised General Code of the Town of Dover.

WHEREAS, the Board of Health has recommended a change to Chapter 427-3 entitled “License Fee”, said Ordinance which regulates the fee for public recreational bathing within the Town of Dover; and

WHEREAS, the Board of Health has requested that said Ordinance be prepared to reflect an amended fee schedule.

NOW, THEREFORE, BE IT ORDAINED, by the Board of Health of the Town of Dover, County of Morris and State of New Jersey that:

Section 1

Chapter 427 PUBLIC RECREATIONAL BATHING

427-3 entitled “License fee” shall be amended as follows:

§ 427-3.

An annual fee of five hundred (\$500.00) dollars is established for the issuance or renewal of a license to operate a public recreational bathing place.

Section 2

All ordinances or parts of ordinances inconsistent with this ordinance are hereby repealed to the extent of such inconsistencies.

Section 3

If any article, section, subsection, paragraph, phrase or sentence is, for any reason, held to be unconstitutional or invalid, said article, section, subsection, paragraph, phrase or sentence shall be deemed severable.

Section 4

This ordinance shall take effect immediately upon final publication as provided by law.

4. Animals Violations and Penalties Ordinance Amendment

The HO provided the board an overview of the current penalties charged for violations of the Animal Ordinance sections regarding animal waste and the keeping of farm animals. A draft proposal of the ordinance amendment was mailed to board members prior to the meeting for review.

The board proceeded to discuss the violation and penalties and, at the conclusion of discussion, introduced the following motion to amend the violations and penalties sections of the Animal ordinance:

Animals Violations and Penalties

An ordinance of the Board of Health of the Town of Dover, County of Morris and the State of New Jersey amending Chapter 395, “Animals,” Sections 395-4 and 395-10 “Violations and penalties,” of the Revised General Code of the Town of Dover.

WHEREAS, the Board of Health has recommended a change to Chapter 395-10 entitled “Violations and Penalties,” said Ordinance which regulates the fines for violations of the provisions of Chapter 395; and

WHEREAS, the Board of Health has requested that said Ordinance be prepared to reflect said amendment.

NOW, THEREFORE, BE IT ORDAINED, by the Board of Health of the Town of Dover, County of Morris and State of New Jersey that:

SECTION 1.

395-4 and 395-10 entitled “Violations and penalties” shall be amended as follows:

§ **395-4. Violations and penalties.**

Any person violating the provisions of this article, upon conviction thereof, shall be fined not less than \$25 nor more than \$750 for each offense. A separate offense shall be deemed committed on each day during which a violation occurs or continues.

§ **395-10. Violations and penalties.**

Any person violating the provisions of this article, upon conviction thereof, shall be fined not less than \$25 nor more than \$750 for each offense. A separate offense shall be deemed committed on each day during which a violation occurs or continues.

Section 2

All ordinances or parts of ordinances inconsistent with this ordinance are hereby repealed to the extent of such inconsistencies.

Section 3

If any article, section, subsection, paragraph, phrase or sentence is, for any reason, held to be unconstitutional or invalid, said article, section, subsection, paragraph, phrase or sentence shall be deemed severable.

Section 4

This ordinance shall take effect immediately upon final publication as provided by law.

Following the reading of all four (4) ordinance amendments by title, a roll call vote was taken:

ALL YEAS; NO NAYS.

Name	Motion	Second	Ayes	Noes	Abstain
Darlene Kasko			X		
Alessandra Scarneo	X		X		
Rosita Scinto			X		
Rhoda Myles		X	X		
Javier Mauricio Herrera					
Janice Anthony, Alternate			X		

THE MEETING WAS OPENED TO MEMBERS OF THE BOARD

No members of the board wished to speak.

THE MEETING WAS OPENED TO MEMBERS OF THE GENERAL PUBLIC

No members of the general public were present.

ADJOURNMENT:

A motion to adjourn the meeting was made by Rosita Scinto and seconded by Janice Anthony.

ALL YEAS; NO NAYS.

Name	Motion	Second	Ayes	Noes	Abstain
Darlene Kasko			X		
Alessandra Scarneo			X		
Rosita Scinto	X		X		
Rhoda Myles			X		
Javier Mauricio Herrera					
Janice Anthony, Alternate		X	X		

MEETING ADJOURNED

6:53 pm