

Town of Dover
Board of Health, June 13, 2005

The regular monthly meeting of the Dover Board of Health was held in Town Hall, 37 N. Sussex Street, Dover.

Board President Marie Hoffman called the meeting to order at 7:30 pm and announced that the meeting complies with the requirements of the Open Public Meetings Act and has been duly advertised and posted.

Donna Cook, Board Secretary, called the roll.

ROLL CALL

PRESENT: Constance Sibona-Foster, Marie Hoffman, Donna Cook,
Karen Vaughan

ABSENT: Jean Cater, Christopher Chapman, Ramiro Gomez

ALSO PRESENT: Cynthia Burbridge, Alderman/Liaison
Donald Costanzo, Health Officer

President Hoffman called for a motion to accept the minutes from the May 2005 Regular Meeting of the Board of Health.

A motion to accept the minutes from the May 2005 Regular Meeting of the Board of Health was made by Donna Cook and duly seconded by Constance Foster.

ALL AYES; NO NAYS

CORRESPONDENCE:

1. Letter from Pfizer to the HO dated 5/3/05; re: prescription medicine program.
2. Letter from the Louis Berger Group to Ben Falco, R.E.H.S., dated 5/17/05; re: record search request.
3. Letter from John Carrico II, CFO, Dover Community Clinic dated 5/26/05; re: contribution of dental supplies.

President Hoffman asked if there was any correspondence to discuss.

The HO mentioned the thank you letter from John Carrico of the Dover Community Clinic and stated that the health department donated old dental supplies to the Community Clinic.

OLD BUSINESS:

The Health Officer (HO) distributed the summary of Health Department activities for the past month and discussed with the Board various parts of the report.

Garbage tonnage for May 2005 was 466.19 tons; down from the same month one-year ago by 30.71 tons or 6%.

Garbage sticker receipts for May 2005 were \$3,533.50; down from the same month one-year ago by \$191.50 or 5%.

The HO commented that 2005 was shaping up to be another great year for sticker revenues and also that garbage tonnage was very stable and predictable.

Constance Foster commented that on weekends, people put out bulky items such as couches and old furniture without stickers. It looks terrible, especially on Route 15, where many travelers drive into Dover. It is a problem because there are no officials to turn to on the weekend to resolve such problems.

The following events/programs were conducted since the May 9th Board meeting:

- 5/17 Healthy Heart Program; Imagine & Learn Day Care.
- 5/17 Female Cancer Screening Program.
- 5/24 Germ Busters; Imagine & Learn Day Care.
- 6/2 Food Handler's Course; Town Hall; 3-5 p.m.
- 6/3 Healthy Heart Program; Dover Child Care Center.
- 6/3 Dental Hygiene Program; Imagine & Learn Day Care
- 6/4 Cholesterol Screening Program; Town Hall; 9-11 a.m.

The HO stated that on June 2nd, a Food Handler's Course was presented to restaurant owners and workers by Ben Falco, REHS and Nancy Ruiz, Health Educator. The program was conducted in both English and Spanish and was very well attended. Ben and Nancy did a fantastic job.

The HO also stated that the Adult Health Screening Program held on Saturday, June 4th went off without a hitch. There were approximately 60 registrants in attendance.

The HO informed Connie Foster that the tires were removed from the Gulf Gas Station on the corner of Mt. Hope Ave and Route 46; and, that a memo was written to the Code Enforcement Department expressing the Board's concerns regarding the dumping of old cloths and rubbish at the Salvation Army Thrift Store on weekends.

NEW BUSINESS:

The following programs are scheduled in the forthcoming weeks:

- 6/21 Germ Busters; Dover Child Care.
- 6/21 TOPS weight loss program.
- 6/23 Sun Safety; 10:30 am; First Memorial Presbyterian Church

The HO stated that TOPS is a non-profit weight loss support group that will have its first meeting on Tuesday, June 21st at 6:30 p.m. at the First Memorial Presbyterian Church, 51 W. Blackwell Street.

There is a \$20 annual fee, paid to TOPS Club, Inc. A flyer was passed around to the members of the Board.

The HO distributed a list of restaurants with inspection data to the members of the Board as requested at last month's meeting.

The HO informed the Board that the Town of Dover is currently in the process of implementing a new 'Municipal Stormwater Regulation Program' developed by the NJ Department of Environmental Protection.

The program addresses stormwater quality issues and requires Dover, as well as all other communities in New Jersey, to tightly monitor, control and maintain storm sewers. Some of the requirements of the program that must be completed include the training of public works employees, announcements to the general public such as brochures, and the promulgation of model ordinances regulating the removal of pet waste and the feeding of wildlife to prevent feces from contaminating water.

The HO expressed concerns about where literature could be offered to residents and stated that he was thinking about setting up a table at the flea market. Constance Foster suggested that the summer concert series was the perfect place to do it. The concert series was a good spot because of the many Dover residents that attend. The HO thanked Ms. Foster and thought the suggestion was terrific.

Two (2) of the model ordinance that are required under the Stormwater Regulation Program happen to be Board of Health ordinances involving the cleaning up after your dog and the feeding of wildlife.

The HO distributed draft copies of two (2) proposed ordinance amendments to the Board for their review and discussion; Chapter 395-2 “Defecation on property of others or on public property; disposal of feces, and Chapter 395-19 “Prohibited Conduct...” (feeding of wildlife).

A motion to introduce and pass on first reading an ordinance of the Board of Health of the Town, County of Morris and State of New Jersey, amending and supplementing Chapter 395 of the revised general code of the Town of Dover entitled “Animals” which reads as follows was made by Marie Hoffman and duly seconded by Donna Cook:

WHEREAS, the Town of Dover is required to revise certain ordinances dealing with stormwater pollution control to be consistent with the Town of Dover’s Municipal Stormwater Permit requirements established by the New Jersey Department of Environmental Protection; and

WHEREAS, the Board of Health has recommended changes to Chapter 395-Animals, more specifically, Article I – Animal Waste, to provide consistency.

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

SECTION 1

§ 395-2. Defecation on property of others or on public property; disposal of feces. paragraph C. is replaced with the following:

C. All pet owners and keepers are required to immediately and properly dispose of their pet’s solid waste deposited on any property, public or private, not owned or possessed by that person.

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 a general discussion focusing on language consistent with the existing pet waste ordinance, enforcement issues and penalties, President Hoffman took a roll call vote:

**ROLL CALL VOTE
ALL AYES; NO NAYS**

A motion to introduce and pass on first reading an ordinance of the Board of Health of the Town, County of Morris and State of New Jersey, amending and supplementing Chapter 395 of the revised general code of the Town of Dover entitled “Animals” which reads as follows was made by Marie Hoffman and duly seconded by Donna Cook:

WHEREAS, the Town of Dover is required to revise certain ordinances dealing with stormwater pollution control to be consistent with the Town of Dover’s Municipal Stormwater Permit requirements established by the New Jersey Department of Environmental Protection; and

WHEREAS, the Town of Dover requires an ordinance to prohibit the feeding of unconfined wildlife in any public park or on any other property owned or operated by the Town of Dover], so as to protect public health, safety and welfare, and to prescribe penalties for failure to comply.

WHEREAS, the Board of Health has recommended changes to Chapter 395-Animals, more specifically to add, Article V – Wildlife Feeding, to achieve these goals and provide consistency.

NOW, THERE FORE, 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 395 – Animals is supplemented with the following:

ARTICLE V, Wildlife Feeding

§ 395-18. Definitions.

For the purpose of this article, the following terms, phrases, words and their derivations shall have the meanings stated herein unless their use in the text of this article clearly demonstrates a different meaning. When not inconsistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

FEED – to give, place, expose, deposit, distribute or scatter any edible material with the intention of feeding, attracting or enticing wildlife. Feeding does not include baiting in the legal taking of fish and/or game.

PERSON – any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.

WILDLIFE – all animals that are neither human nor domesticated.

§ 395-19. Prohibited Conduct:

No person shall feed, in any public park or on any other property owned or operated by the Town of Dover, any wildlife, excluding confined wildlife (for example, wildlife confined in zoos, parks or rehabilitation centers, or unconfined wildlife at environmental education centers).

§ 395-20. Enforcement:

This ordinance shall be enforced by the Town of Dover Police Department.

§ 395-21. Penalties:

Any person who violates this chapter shall, upon conviction, forfeit and pay a fine of fifty dollars (\$50.00.) for the first offense, one hundred dollars (\$100.00.) for the second offense and, for any subsequent offense, shall be subject to one (1) or more of the following: a fine not exceeding one thousand dollars (\$1,250.), a term of imprisonment not exceeding ninety (90) days or a period of community service not exceeding ninety (90) days.

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.

Discussion:

Constance Foster stated the importance of providing copies of the amended ordinances to the Police Department so that they are aware of the new laws. Marie Hoffman suggested the HO ask the Police Department to please post the new laws on their bulletin board.

Alderman Burbridge mentioned that the Police Department could also post the new ordinances on its web site and Constance Foster suggested posting the ordinances on our web site as well.

Karen Vaughan also suggested that proper signs be installed in the Town's parks.

Following discussion, President Hoffman took a roll call vote:

**ROLL CALL VOTE
ALL AYES; NO NAYS**

**THE MEETING WAS OPENED TO MEMBERS OF THE BOARD WHO
WISHED TO DISCUSS A PARTICULAR ISSUE.**

Karen Vaughan mentioned seeing a lot of small signs around town about conducting permanent make-up such as tattooing from homes; and, the selling of foods from the back of cars or selling home prepared foods to restaurants.

The HO stated that he recently worked with the Police Department through municipal court to stop a resident from performing illegal tattoos. The health department also stops food establishments from selling home prepared foods when it knows it is being done. If a food establishment is noticed selling home prepared foods, please let the health department know.

Alderman Burbridge reported that she met with representatives an organization called, "The Medical Needs Foundation" based in Mountain Lakes. The Medical Needs Foundation provides financial assistance through fundraising to persons facing overwhelming expenses due to chronic or catastrophic illness. Alderman Burbridge was impressed with the program and wanted to bring it to the attention of the health department.

The Health Officer will incorporate the Medical Needs Foundation brochure into the public health nurse's referral manual and possibly on the Town's web site.

**THE MEETING WAS OPENED TO MEMBERS OF THE GENERAL PUBLIC
WHO WISHED TO DISCUSS A PARTICULAR ISSUE.**

There were no members of the general public present.

Upon completion of the public portion of the meeting, President Hoffman entertained a motion to adjourn the meeting. **A motion to adjourn the meeting** was made by Donna Cook and seconded by Marie Hoffman.

ALL AYES; NO NAYS

MEETING ADJOURNED