

CHATHAM BOROUGH BOARD OF HEALTH
October 10, 2019 7:00 p.m.

Chairman Lisa DeRosa called this Regular Meeting to order at 7:00 p.m. in the Council Chambers, upper level, Chatham Borough Hall. Chrnm. DeRosa read aloud the following statement:

Pursuant to the requirements of the Open Public Meetings Act, N.J.S.A. 10: 4-6 et seq. adequate notice of this meeting has been provided by including same in the Annual Notice, copies of which were posted on the Municipal Bulletin Board, on the main floor of the Borough Hall, emailed to the Chatham Courier, the Daily Record, and the Alternative Press on January 3, 2019 and filed in the office of the Borough Clerk.

Names	Present	Absent
Lisa DeRosa, Chrnm.	X	
Rita Marts		X
Mary Ann McCabe	X – arrived at 7:35 p.m.	
Kay Kaiser, R.N.	X	
Micki Chaput, R.N.	X	
Lisabeth Bringgaard, R.N.		X
Shelliam Lee	X – arrived at 7:40 p.m.	
Council Member Robert Weber, Sr.	X	
Bridget Colendenski, R.N., Public Health Nurse	X	
Andrew Zoltan, 1 st Alternate	X	
Megan Avallone, Health Officer	X	
Beau Preston, R.E.H.S.	X	
Liz Holler, Minutes Secretary	X	

Motion to Adopt the Meeting Minutes

The minutes of the September 12, 2018 Board of Health meeting were approved as submitted.

Reports

Nursing Report

Mrs. Colendenski reported that there were four scheduled child health conferences held in September. No children from Chatham Borough were seen. She discussed an in-service meeting held on Sept. 5th with a pediatric representative from Abbott Nutrition (Similac & PediaSure Products).

Mrs. Colendenski, Ms. Avallone, and Board members discussed the Vaccines for Adults (VFA) Program. Ms. Avallone reported Morris County is not a high risk for outbreaks of HPV, Tdap, Meningitis, Pneumonia, Shingles, etc. However, Morris County is not receiving the funding that

the southern counties are receiving. Ms. Avallone pointed out that pediatricians are now giving Hepatitis A vaccines to every child by the time the child reaches 3 years old.

Mrs. Colendenski reported that two workshops will be held in the near future for the Here to Help (H2H) Committee. She also reported that a Fellowship Senior Living Meeting was held to discuss what services could be provided for senior support living and hospice.

Mrs. Colendenski noted that the Municipal Alliance Committee (MACC) met September 11th. At this meeting a review was done for the 2019-2020 grant year.

Mrs. Colendenski reported that the Mayor's Wellness Advisory Committee. Committee members had discussed the layout for the vendors for the Sustainability Fair. Brochures for the Fair are being prepared.

Mrs. Colendenski noted that the Madison Chatham Coalition (MCC) held a meeting on September 12th focusing on Project Community Pride.

Mrs. Colendenski reported that a Morris County Public Health Meeting was held on September 4th, presenting a program on HPV and how to reach out to parents, informing them of communicable diseases in Morris County.

Mrs. Colendenski noted that it was reported that a child residing in Chatham Borough had an elevated lead blood level of 14. The child's pediatrician was notified, and a plan of action was discussed. The child will be re-tested every 3 months to see if the lead level was going down. An environmental investigation was conducted at the child's home and it was confirmed that lead existed.

Mrs. Colendenski reported that no chronic diseases were reported for Chatham Borough. She reviewed the three communicable disease cases that were reported for the Borough. Mrs. Colendenski reported that Overlook Medical Center is sponsoring two events for Breast Health Education in October and November.

R.E.H.S. Report

Mr. Preston reported that the River Grille, as of September, had been re-inspected. The recent evaluation was Satisfactory. Improvements have been made at that restaurant. Mr. Preston reported on a pasta-cooking and sauce-cooking situation at Arminio's which is being observed. The correct temperatures of these items are being monitored by a plan.

Mr. Preston reported on his most recent inspection of the Farmer's Market. All the vendors were still in compliance.

Mr. Preston noted that the court date for the under-age tobacco sale at Bottle King has been scheduled for October 30th.

Mr. Preston discussed a complaint made about an unconfined sanding of a paint job being done at a Lincoln Ave. residence. Mr. Preston visited the site in question twice. All the required equipment had been in place to deal with the paint dust.

Financial Report

The report was accepted.

Vital Statistics Report

The report was accepted.

Animal Control Report

The report was accepted.

Pest Control Report

Ms. Avallone noted that she had received this report just yesterday. She will forward it to Board members.

A Re-Visit on the Borough's Chicken-Raising Ordinance

The following were present: Chatham residents Jeff and Jennifer Kaplan, Gabby Kaplan (daughter), and Council Member Carolyn Dempsey.

Chrmn. DeRosa stated, that as a Public Health representative, she has noted the recent increase of salmonella regarding chicken-raising in backyards

Gabby Kaplan introduced herself as a 5th grade student at Lafayette Ave. School. She read aloud her statement explaining the benefits of raising chickens. She hoped there would be a way for the Borough to allow chickens to be raised in this town.

Mr. Kaplan noted that some towns, like Maplewood, have established thoughtful rules for chicken-raising. He felt these rules eliminate the risk of disease. Mr. Kaplan stated that he has printed out a list of area towns that allow chicken-raising.

Chrmn. DeRosa stated that she liked the ideas of these permits; however, she has learned that the increase in salmonella for back-yard chicken raising has seemed to increase, especially affecting people under 5 yrs. old and those over 65 yrs. old. The CDC has given this information.

Mr. Zoltan thanked Gabby Kaplan for attending tonight's meeting. He knew of Ms. Kaplan's activities in the community. He asked what the dimensions of the chicken coops would be. How many coops would be in the yard?

Mr. Kaplan answered that in Maplewood has a 30 sq. ft. limit for their coops. An additional square footage of 36 sq. ft. is required for the chickens to roam. This roaming area must be attached to the coop. There is a 6-foot limit for the height. There are also rules on the distance that the chicken facilities must be kept from the neighboring properties.

Mr. Zoltan asked how the chicken droppings would be dealt with.

Mr. Kaplan noted that some towns give training on the correct way to dispose of the chicken waste. Regarding the food and the feed, there are ways to use it as compost. The waste will be contained in one area of the yard. He noted that Gabby is aware that this particular clean-up job has to be done every day. Mrs. Kaplan added that the chicken waste can be used for plants.

Mr. Zoltan brought up the question of who decides that this particular lot is appropriate for chicken raising.

After further discussion, Chrmn. DeRosa pointed out that in Maplewood, only certain streets are allowed to have chicken coops. She didn't think that was fair to the residents who wanted to raise chickens, but did not meet the required property sizes. Chrmn. DeRosa still had serious concerns about the health issues of raising backyard chickens.

Board members discussed about obtaining permission from neighbors, before setting up to raise chickens. Mr. Kaplan stated that they would seek permission from the neighbors for their chicken-raising.

Council Member Dempsey state that if Chatham Borough were to approve chicken-raising, perhaps a pilot program could be required on the correct way to raise chickens. She thanked the Board for their time and consideration on this matter.

Chrmn. DeRosa stated that the Board will re-visit the topic at the end of their meeting.

Mr. Zoltan pointed out to the Kaplans, whatever the Board decides regarding chicken-raising, please don't consider it a reflection on them (the Kaplan family). There is no doubt that Gabby will adequately take care of her chickens. However, the Board is also responsible for setting public policy. Chrmn. DeRosa added that if a chicken-related illness broke out, the Board of Health would have to deal with it.

Mrs. Kaplan noted co-ops for chicken-raising had been suggested at a Borough Council meeting.

Ms. Avallone pointed out that those types of co-ops can be very risky, public health-wise. Residents are coming and going in this town. How can the public-at-large be educated on the correct methods of chicken-raising? Ms. Avallone reported that at this time of year, there is a spike in salmonella and e-coli poisoning oftentimes from petting zoos.

The Kaplans and Council Member Dempsey thanked the Board for their time and departed.

Ms. Avallone reported that one of one of the initiatives of the new Health Educator is creating an interactive, online newsletter. This newsletter will be issued every month. A shortened web-site version will also be available. Ms. Avallone had hard copies of these newsletters if the Borough was interested. PDF versions of the newsletter would be related. Chatham Borough residents will not have to go to the Westfield website for this newsletter. They will be able to click it on the Chatham Borough website.

Chrmn. DeRosa noted that there is a new Board of Health Secretary in place, who can keep the BOH website and Health Educator newsletter up to speed.

Draft Ordinance Review PowerPoint

Ms. Avallone reported the she, Borough Attorney Lott, and an attorney from Mr. Lott's law firm have been working on updating the Chatham Code. The project is now completed.

Ms. Avallone stated she will present an overview tonight on the changes to the Board of Health Code. She suggested that Board members review the language and substance of the revised code after tonight's presentation. Board members can email Ms. Avallone any questions they may have. The new Code could then be introduced at a November Council Meeting, as a First Reading. A Second Reading will be held. If the Code is officially approved, it will go into effect in January 2020.

Ms. Avallone noted that Chapter 274 states the general authority and provisions of the Board of Health.

Ms. Avallone pointed out that there is a new chapter, Chapter 276, which will address food and beverage machines following State statutes.

Ms. Avallone discussed a new chapter, Chapter 277, requiring suitable containers for garbage. It is up to the Board whether to include this chapter in the Code. Ms. Avallone felt this particular chapter would be helpful, even if it is never enforced. This container requirement would be helpful for repeated instances of when wild animals rip into the plastic garbage bags on curbside.

Some Board members voiced their approval of this new chapter.

Ms. Avallone noted that the new chapter, Chapter 278, concerning Sanitary Regulations, replaced an older chapter, 284. The new chapter will make these regulations a little more comprehensive. The evaluation placard in food establishments must now be displayed in prominent, specific locations in their store units. New definitions were included in Chapter 278.

Ms. Avallone also explained, with Chapter 278, that if a food establishment chooses not to pay for their food license, the placard can then be pulled. If an imminent health hazard is going on in a food establishment, it can also be pulled. Ms. Avallone reviewed the fines that are imposed for different violations. If three violations in a row occur, the food establishment owner must come before the Board of Health.

Ms. Avallone reminded Board members that the fees that are being listed for BOH violations are only suggestions. The Board is free to revise those fees that may be too exorbitant.

Also, in reference to Chapter 278, Ms. Avallone pointed out that it is now a State requirement that all food establishments use a licensed garbage contractor.

Ms. Avallone brought up the regulation prohibiting the use of a common drinking cup at public events, other than religious services.

Ms. Avallone noted that public nuisances are now clearly listed in the Code. There is a new requirement stating that individuals must obtain an exterminator if the Board finds evidence of rodents on their property. Board members and Ms. Avallone discussed the baiting for rodents that is done on public properties.

Ms. Avallone reported that there is now a nuisance regulation included for mosquito breeding.

Board members and Ms. Avallone created a new heading: The Keeping of Animals under Unsanitary Conditions.

Chrmn. DeRosa asked if there could be a provision regarding the wild bamboo that invades residents' yards and obnoxiously takes off. Ms. Avallone felt that bamboo was not really a public health threat. Another Borough entity could deal with this situation.

Ms. Avallone discussed the new Chapter 278 gives the Board of Health extra power to quarantine or isolate a person with a communicable disease, if needed.

Ms. Avallone noted that barber shops, beauty shops, and massage parlors are now regulated by State statute. These type businesses do not need to be addressed by the local Code.

Ms. Avallone discussed creating an educational program for the public to understand the placards that are put up in food establishments, and other health-related matters.

Ms. Avallone reviewed the revisions made to Chapter 280 regarding fees. At the next BOH meeting, Ms. Avallone will bring the list of the current fees. The Board can then discuss any fee changes for the new year, 2020. Ms. Avallone proposed that restaurants who are renovating their premises should pay a user's fee. An official would go in and inspect the renovations, with blueprints in hand, to ensure the approved renovations are correctly being done.

Ms. Avallone reviewed Chapter 308 which regulated retail sales of e-cigarettes. She pointed out that neighboring towns will allow vaping devices to be sold in stores, if certain stipulations were followed. Establishments that have a concurrent food license are not allowed to sell any vaping devices or materials. This would affect liquor stores, convenience store, pharmacy, and gas stations that sell drinks. This restriction is working well in Morristown.

Chrmn. DeRosa asked if a smoke shop could ever be allowed in Chatham. Ms. Avallone indicated that would be up to the Borough Council and the Borough Attorney whether to allow a smoke shop.

Ms. Avallone referred the Board to Chapter 303 concerns recreational bathing. That activity is now regulated by a State statute.

Ms. Avallone pointed out that currently in Chapter 286 – Fowls & Birds, chickens are not allowed.

Chrmn. DeRosa asked Board members how they felt about allowing chicken-raising in Chatham Borough.

Mr. Zoltan could not accept the argument that other towns allow chicken-breeding. That doesn't mean Chatham Borough has to follow. He pointed out that technically chickens are considered livestock.

Chrmn. DeRosa pointed out that the cases of salmonella have increased and she's concerned about the large number of Borough children, who may be affected. Chickens are not really the type of pets your young children can play with when they visit a friend raising chickens.

Mrs. Chaput discussed the predator problem which follows with chicken-raising. A chicken-coop has to be cleaned constantly.

Chrmn. DeRosa will reach out to the Kaplan Family about the Board's feelings.

Mr. Zoltan brought up the suggestion someone had made of having a chicken-raising pilot program in the Borough. He questioned what would happen to the chickens if the program failed.

Council Member Weber distributed paper copies of a Smoke-Free/Vape-Free Area signs being sponsored by MACC. He reported that 20 of these signs will be made. Three of the signs will be posted at Shepard Kollock Park. Four of them will be installed at Memorial Field in the Library area. One sign will be at Rotary Park. Two will be at Reasoner Park. One will be at the Historic Trailside path. Two will be at the train station field. Two will be at the ECLC Lum Field. Two will be at Borough Hall. One at the Chatham Firehouse. Two at Garden Park.

Board members suggested the words "No Smoking, No Vaping" instead of "Smoke-Free/Vape Free Area". Perhaps the fine could also be mentioned on the sign. Council Member Weber took note of these suggestions.

At 8:58 p.m. the meeting adjourned.

The next Chatham Borough Board of Health meeting will be held on Thursday, November 14, 2019, 7:00 p.m., Room 212, middle level, Chatham Borough Hall.

Respectfully submitted:

Liz Holler
Recording Secretary