

FLORHAM PARK BOARD OF HEALTH

November 8, 2023

Minutes

Present: Peter Kleban, Stanley Wisnewski, Tana LaPlaca, Thomas Michalowski and Jay Rosania

Also present: Thomas Cantisano (Health Officer), Gina McConeghy (Registered Environmental Health Specialist), and Maryann Lang (Board of Health Secretary)

Absent: Raymond Holmes, David Adinaro, Sonya Youngren and Joshua Marchal (Council Liaison)

The meeting was called to order at 6:58 pm. The Pledge of Allegiance was recited. Ms. Lang took attendance, and stated that the requirements of the Open Public Meeting Act had been met.

Approval of Minutes:

Ms. LaPlaca made a motion to approve the minutes from the September 13, 2023 meeting. Mr. Michalowski seconded the motion, and all members present approved.

Approval of Reports:

Mr. Wisnewski asked about the hand, foot and mouth cases at London Day School, listed in the Pequannock Township August and September monthly reports. He questioned this type of disease in our area. Several Board members responded that it is a virus that spreads easily among children, and is not unusual to see.

Ms. LaPlaca made a motion to approve the Registrar of Vital Statistics monthly report for September and October; and, Pequannock Township monthly report for August and September. Mr. Michalowski seconded the motion, and all members present approved.

Communications:

Resignation of Board of Health Member, Sabrina Edmunds.

Report from Health Department Staff:

Mr. Cantisano provided the following report:

There have been COVID sub variants appearing every few months, with no difference in severity. People sixty five and older, and those with underlying health conditions, are being advised to receive guidance from their health care provider for precautions suitable for them. The Centers for Disease Control (CDC) guidance remains the same.

Mr. Michalowski asked if there has been any other sewage backup issues at Brandywyne. Ms. McConeghy responded that she has heard nothing more from them. The Association has been taking care of the issue, and an engineer is involved. Mr. Cantisano added that the lines were cleaned. It was found that residents were disposing of non-flushable items through the waste lines. Residents have been educated, and the Health Department will continue to work with the complex if needed.

Mr. Kleban asked if the Health Department was involved with the sewer pipe collapse on Columbia Turnpike. Mr. Cantisano responded that they had not received any calls regarding this incident.

New Business:

Proposed changes and additions to Board of Health Ordinances:

Mr. Cantisano advised the Board that he has been looking into revising several of our ordinances, and drafting a new one. He will work with our attorney on this process, and will provide drafts to the Board once he has something to share.

Some areas that will be addressed are:

New Business (continued):Proposed changes and additions to Board of Health Ordinances (continued):**Reinspection fees:**

These fees will apply to anything regulated by the Health Department. The reinspection fee will be the same as the license fee, and will be imposed every time there is a reinspection. Mr. Cantisano stated that the reinspection fee is a good deterrent, and helps the court system by not inundating it with violations. Problems may be corrected more quickly, so the amount of time serving people out of compliance is shortened. Mr. Cantisano explained that after a business is notified about the reinspection fee, they will have ten days to pay it. The fees will be submitted directly to the Health Department office in Florham Park. If they are not paid, a court summons will be issued. The business would then pay the reinspection fee, as well as the court fee.

Mr. Rosania asked if the reinspection fee came about due to the issues experienced with several of the cafés, having multiple conditional inspections. Mr. Cantisano responded they are a good example of why we want to have reinspection fees, but they didn't trigger the need for these fees.

Mr. Wisnewski asked if the reinspection fee for body art establishments is different, as the wording in the document differs from the other businesses. Mr. Cantisano responded it would also be the license fee. Mr. Michalowski stated that he thought body art is not allowed in Florham Park. Mr. Cantisano responded that is correct, but permanent cosmetic is allowed.

Mr. Wisnewski asked if this will be developed by end of year. Mr. Cantisano responded that it will be available by end of first quarter 2024. It will be brought before the Board for review, and a vote to move forward.

Different types of food licensing:

Mr. Cantisano stated that he would like to clarify language on the different types of retail food licenses, so it is clear what is allowed. Temporary licenses are good for up to seven days (doesn't have to be continuous days). The vendor must know dates/events at the time of application. Mobile permits would be issued to someone with a route, and not allowed to stay at one location for more than thirty minutes. If a mobile vendor would like to attend a temporary event, will need a temporary license as well. A farmer's market license would be for a calendar year.

Would like to make a change in food service manager education. There used to be employee food handler certification. Due to high turnover, want to change it to have a certified food manager on staff for each shift. They would manage and educate their staff.

Regulating psychoactive substances:

Mr. Cantisano stated that this is a very complicated area, and would be new legislation. Items are being sold at gas stations, liquor stores, vape places etc., and are sometimes laced with other substances. A lot of merchandise is directed to children, and a lot is illegal. An ordinance is needed to protect the community, as well as to enable enforcement by local police. Mr. Cantisano asked the Board's permission to begin the process.

Mr. Kleban made a motion to formally approve moving forward with the ordinance revisions, and drafting the new ordinance. Ms. LaPlaca seconded the motion, and all members present voted "yes".

Mr. Wisnewski asked Mr. Cantisano to advise Mr. Marchal of when he will begin working with the attorney on the various ordinances. Mr. Cantisano responded that he will keep Mr. Marchal in the loop.

Mr. Wisnewski commented that it seems like this is a widespread issue. Is there literature that can be provided to educate Florham Park residents? Mr. Cantisano responded that there will be multiple facets to educate the public. The Health Department will work with the Health Educator from Atlantic Health, the Superintendent of Schools, private schools in town, Chief of Police and Prosecutor. Mr. Kleban commented that the school resource officers may also be brought on board.

New Business (continued):2024 budget:

Mr. Cantisano provided a brief overview of the 2024 budget. It is two percent less than last year, due to bringing on Boonton to towns being served by Pequannock. The 2024 budget was approved by Board members.

Dr. David Adinaro appointment regular Board of Health member:

Board of Health (BOH) alternate member, Dr. Adinaro, was appointed as a regular member at the October 5, 2023 Council meeting. He will be filling the spot held by Sabrina Edmunds. There were no objections to the appointment.

2024 Board of Health meeting dates:

The Board approved the following meeting dates for 2024: 2/14, 4/10, 6/12, 9/11 and 11/13.

Unfinished Business:

None

Ratification of Licenses:

The Board ratified licenses issued September and October.

Public Hearing - Privilege of the Floor:

Mr. Kleban opened the meeting to the public at 7:41 pm.

Maria Quigley:

Ms. Quigley asked for clarification on the difference between an ordinance and legislation, which Mr. Cantisano provided. He added that legislation is not just at the state or federal level, and that the local Board of Health is a legislative body. Mr. Kleban added that as long as local legislation is not in violation of state/federal statutes.

Ms. Quigley stated that in May, the New Jersey Department of Health discussed proposed rule revisions to NJAC 8:57. She stated that her understanding is that the local BOHs are stakeholders in the process, and is interested in learning more about it. Mr. Cantisano responded that by the term stakeholders, the Health Department is just an instrument on what is decided by the State. Our jobs are enforcing state mandates, we are not part of the formation of mandates. Ms. Quigley asked if Mr. Cantisano was familiar with the proposed rule changes, and Mr. Cantisano responded in the affirmative.

Ms. Quigley commented that the NJ COVID dashboard is hard to follow. She questioned what data is being collected, what data is most relevant to the Board, and what data do you wish you had in making decisions about COVID vaccinations going forward? Mr. Cantisano responded that this has been previously discussed. The BOH doesn't collect or analyze data, and has nothing to do with vaccines, or policy. The State makes policy, issues recommendations or mandates, and we proceed accordingly.

Ms. Quigley stated that there was a NY Times update on COVID data, and said a lot of charts have been archived. How are we to understand the efficacy, and/or risk of vaccine, so we can be educated going forward? Are we just dropping it, or trying to learn from what has been happening? Mr. Cantisano responded that the local BOH doesn't have the authority, mission statement, or expertise to study and determine what to do with the data. The pandemic will be studied for years, by state and federal agencies.

Public portion was closed at 7:59 pm.

Adjournment:

Mr. Wisniewski made a motion to adjourn the meeting at 8:00 pm. Ms. LaPlaca seconded the motion, and all members present approved.

Respectfully submitted,
Maryann Lang, Board of Health Secretary