

**CLOSTER BOARD OF HEALTH
CLOSTER, NEW JERSEY**

REGULAR MEETING MINUTES SEPTEMBER 20, 2012

Mr. Anthony Neusch, Vice President called the meeting to order at 7:30 PM and invited all to join the Pledge of Allegiance. Mr. Neusch advised that he would be filling in for Mr. Winters who had an eye problem.

PROVISIONS OF OPEN PUBLIC MEETINGS ACT STATEMENT

This meeting is called pursuant to the provisions of the Open Public Meetings Act of the State of New Jersey, was included in the Notice of Meetings which was sent to the Record and published, posted on the Municipal Clerk's bulletin board and has remained continuously posted as required notice under the Statute. In addition, a copy of the notice is and has been available to the public and is on file in the office of the Municipal Clerk.

ROLL CALL

Mr. Donald Winters, President
Mr. Anthony Neusch, Vice President
Ms. Phyllis Buonomo
Mrs. Judith Griffin
Mrs. Mary Neusch
Dr. Michael Rothschild
Mrs. Babara Guile – Alt. #1
Mrs. Elvira Testa Caputo, Secretary/Registrar/Licensing Official
Not at the Meeting
Dr. Andrew Baron – had another meeting
Mr. Arthur Dolson Council Liaison - had another meeting
Ms. Michelle Netusil, REHS – ill

Mr. Neusch reported that Mrs. Guile would be filling in for Dr. Baron.

3. APPROVAL OF AUGUST 16, 2012 MEETING

Mr. Neusch asked if there were any corrections or additions to the minutes of the August 16, 2012 meeting. There being none, a motion was made by Mrs. Guile, seconded by Dr. Rothschild to approve the minutes as presented. All in favor, so moved, motion carried.

4. CORRESPONDENCE

A list of the correspondence from April 20th to September 14th was submitted to the members for their perusal. After review, no one had any questions.

5. REPORTS

A. Health Officer

Mr. Yanovich's reports were reviewed and found to be in order. Detailed

report on file in the Board of Health office. Mr. Yanovich advised that there were fifteen cases of West Nile Virus identified in New Jersey including Bergen County. Those with immune-compromised systems and older adults, are at the highest risk of developing severe illness.

The State DEP has increased the funding available for testing of mosquitoes and urges the public to continue to remove any standing water from their property.

The Health Officer will be reaching out to local OEM in the fall to schedule or attend a meeting in order to clearly define the health department's role, and establish on-going communication.

B. Registered Environmental Health Specialist

Ms. Netusil's report was e-mailed to the Members for their review. No one had any comments or questions.

C. Secretary/Licensing/Registrar

Mrs. Caputo's reports were reviewed and found to be in order. Detailed reports on file in the Board of Health office. She reported that the number of marriage licenses issued had increased and a baby had been born in Closter. All other work was up to date and she had been working closely with Ms. Netusil. She also advised that while she still had work to do, she helped mail out tax bills so that they could get to the residents on time and helped with filing for the Finance Office.

D. Council Liaison

No report.

6. COMMITTEE REPORTS

A. Finance & Personnel

Mr. Winters reported that we had received a memo from Mr. Sheola, Borough Administrator requesting that proposed budgets for 2013 be prepared and submitted by November 14th. A meeting will be held of this committee with Mrs. Caputo and make their presentation at the next meeting.

B Community Health & Nursing Programs

Mr. Winters reported that in conjunction with Closter CVS, we were having a mini-health fair/flu shot clinic schedule for September 29th from 10:00 am to 2:00 pm at the Senior Center. CVS will be administering the flu shots in addition to All the paper work. Also volunteering their time are: Dr. Kim, Optometrist, Dr. Baron, Oral screening, Dr. Nathanson, Podiatrist, Mfrs. Abate R.N. and Mrs. Baron, R.N. who will handle blood pressure screening. There will be a free flu clinic for borough employees, first responders and Library employees on October 10th at 3;00pm at the Ambulance Corp building. Dr. Farooki will be giving the shots.

C. Public Relations

Dr. Rothschild reported that he had put the agenda on our web-site and the approved minutes of the August meeting were put on this evening.

D. Legal & Ordinance Review

Mr. Neusch reported that at the last meeting, he was asked to review the possibility of the Board adopting an ordinance covering massage parlors which come under the jurisdiction of the New Jersey Board of Nursing.

He obtained a copy of the law from the Division of Consumer Affairs, League of Municipalities, which he reviewed in its entirety (27 pages). It is his opinion That this should be the last time the Board takes this into consideration.

In 2004, we received a letter from the Bergen County health Officer stating that massage parlors are regulated by the New Jersey Board of Nursing "Massage. Bodywork and Somatic Therapy" and not the Boards of Health who have no Jurisdiction in this matter and cannot be referenced in an ordinance. Two years ago, we tried to put together an ordinance and he referred to a letter from Ms. Riccardi, Borough Attorney to Mrs. Caputo advising that the statute expressly preempts and supersedes any municipal ordinance or regulation that provides for the licensing, certification or registration of massage and bodywork therapists. Hence, the Board is unable to regulate this practice by ordinance. The sample ordinances provided were obviously pre-dated to State law.

For their information, Mr. Neusch read to the Members the hi-lighted sections of the law pertaining to licensing/ordinance of massage parlors. A copy of the Law is on file in the Board of Health office. Discussion followed. It was Mr. Neusch's opinion that an ordinance is not viable and this should conclude any future discussion on this matter. The Members agreed that a great deal of time had been taken on this issue and should be laid to rest.

Mr. Winters thanked Mr. Neusch for all his time and effort in researching this matter.

E. Animal Licensing

No report.

Mrs. Caputo requested to return to item 5C. She reported that a request was received from Mr. Sheola, Borough Administrator for her to complete an evaluation of the Board Members. Mr. Winters reported that he had received a request to evaluate Mrs. Caputo. Mrs. Caputo returned her evaluation and Mr. Winters will complete and return same.

7A. OLD BUSINESS

A. Adoption of Ordinance No. 2012-2

Mr. Neusch stated that the next item on the agenda was the adoption of Ordinance No. 2012-2.

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Mrs. Caputo read the Ordinance by title only. No one wished to be heard. A motion was made by Mrs. Griffin, seconded by Dr. Rothschild to adopt Ordinance No. 2012-2 'AN ORDINANCE AMENDING ORDINANCE NO. 2011-3'

Roll Call Vote: Mrs. Griffin, Dr. Rothschild, Mr. Winters, Mrs. Neusch, Ms. Buonomo, Mrs. Guile and Mr. Neusch voted in the affirmative. Motion carried. Mr. Neusch reported that the Ordinance was adopted and the Secretary would advertise in the newspaper according to law.

8. NEW BUSINESS

There was no new business.

9. OPEN/CLOSE MEETING TO PUBLIC

Mr. Neusch opened the meeting to the public. No one was in attendance, he closed the meeting to the public.

10. ADJOURN

There being no further business to come before this Board, it was duly moved and seconded to adjourn at 8:03 PM.

**Elvira Testa Caputo
Secretary**