

**TOWNSHIP OF RARITAN
BOARD OF HEALTH
MINUTES
SEPTEMBER 20, 2018**

CALL TO ORDER

The meeting was called to order by Chairman, Frank Nagy at 7:30 p.m. at the Municipal Building, One Municipal Drive, Flemington, NJ 08822

MEETING ADVERTISED

The meeting was advertised in the February 1, 2018 issue of the Hunterdon County Democrat and posted on the office bulletin board.

ATTENDANCE

PRESENT: Jeannie Geremia; Deborah Hoskins; Venkata Lanka; Pat Morlando (arrived at 7:44 p.m.); Mark Peters; Rose Sollena; Tom Smith (arrived at 7:34 p.m.); Carolee Zak; Chairman, Frank Nagy

ABSENT: None.

ALSO PRESENT: Board Secretary, Lisa Fania; Hunterdon County Department of Public Safety, Division of Public Health Services, Carla Hobbs; Mayor Michael Mangin (Township Committee Liaison – arrived at 7:48 p.m.); Board of Health Attorney, Richard Tice

MINUTES

Motion by Geremia, seconded by Hoskins to approve the August 16, 2018 meeting minutes.

ABSTAIN: Morlando, Peters, Sollena, Zak

MOTION CARRIED

COURTESY OF THE FLOOR

There was no public comment.

NEW BUSINESS

a. **Ordinance to regulate noise pollution related to the use of Off-road Recreational Vehicles (ORVs) in residential neighborhoods** - Board Secretary, Lisa Fania, explained that the purpose of tonight's discussion was to come to a consensus regarding the enforcement and adoption of an ordinance regulating noise from the use of ORVs within the Township and submit a recommendation to the Township Committee for review and determination.

Ms. Fania explained that a Township resident has requested that the Township Committee consider the adoption of a noise ordinance, however, in accordance with state law, enforcement lies with the county or local Board of Health. She continued that a municipality's ability to adopt a noise control ordinance is constrained by the Noise Control Act of 1971 – N.J.S.A. 13:1G *et seq* and sets forth a State standard regarding noise pollution and empowers the New Jersey Department of Environmental Protection (NJDEP) to adopt regulations regarding same. Ms. Fania further stated that the Act does not regulate noise from residential properties and that such may be regulated by municipal ordinances of which must follow model ordinances promulgated by the NJDEP.

Ms. Fania presented two model ordinances that included the following:

- A. Model noise ordinance for Off-Road Vehicles only for which the scope of the ordinance would be limited to ORVs, prohibiting sounds of a certain decibel level during certain times of the day; and
- B. A broader model noise ordinance which would regulate sounds from different property categories, including industrial, commercial, and residential properties with the same effect as the ORV ordinance but with many other activities.

Chairman Nagy solicited public comment.

Dan Scaramella, a resident of 9 Marys Court, encouraged the recommendation of the broader ordinance and spoke of his experience and dissatisfaction with the use of off-road vehicles in his neighborhood.

Board Members raised questions and concerns regarding the frequency of use, the number of people causing the disruption, the location of the occurrences, and the inclusion of exemptions regarding emergency work, power tools, home maintenance tools, landscaping and/or yard maintenance equipment used by a residential property owner or tenant.

Board Attorney, Richard Tice spoke on the adoption procedure.

Carla Hobbs, representative of the Hunterdon County Department of Public Safety, Division of Public Health confirmed the Division's qualifications and capabilities for enforcement of a noise ordinance.

Mark Peters motioned to recommend the adoption of State Model Ordinance A, seconded by Jeannie Geremia.

ROLL CALL:

AYES: Geremia, Hoskins, Lanka, Peters, Sollena, Zak, Chairman Nagy
NAYES: Smith
ABSTAIN: Morlando
ABSENT: None

Mark Peters motioned to recommend the adoption of State Model Ordinance B, seconded by Carolee Zak.

ROLL CALL:

AYES: Geremia, Lanka, Peters, Sollena, Zak, Chairman Nagy
NAYES: Hoskins, Smith
ABSTAIN: Morlando
ABSENT: None

b. Correspondence from Quest Environmental & Engineering Services, Inc. amending and supplementing the Response Action Outcome for the former Yale Materials Handling Corporation Site (15 Junction Road) – Discussion was held among Board Members regarding the area of concern: Carbon Tetrachloride in ground water. Mark Peters to follow up with the NJDEP to confirm source of water at Costco.

LIAISONS

STATE OF NEW JERSEY

No report

COUNTY HEALTH DEPARTMENT

- *Correspondence
- *Food Inspection Reports
- *Rabies Update

Carla Hobbs, Hunterdon County Division of Public Health Services reported on retail food establishment inspections for the period of August 16 through September 19, 2018 and provided information regarding rabies county-wide including 1 positive skunk in the Township and 6 bats and 4 cats within the County. Ms. Hobbs added that there were no rabies cases reported in feral cats.

During Ms. Hobbs' report, Mr. Peters inquired about the mold issue within the schools. Ms. Hobbs advised that there are no state requirements regulating mold and that this instance was due to weather conditions and has been remediated.

RARITAN TOWNSHIP MUNICIPAL UTILITIES AUTHORITY (RTMUA)

Regular Meeting Minutes of May 17 and July 19, 2018 were acknowledged by Board Members.

OLD BUSINESS

West Nile Virus Update – Ms. Hobbs reported above normal activity due to record rainfall levels and two human cases in Hunterdon County. Ms. Hobbs explained the difficulty in identifying where the contact occurred with the two Hunterdon cases. Discussion continued regarding standing water and the impact of tires not properly disposed of on the spread of the virus. Ms. Hobbs to provide regular monthly reports on West Nile Virus.

During the discussion, Ms. Geremia commented on Lyme's disease and spoke about improper diagnosis and the need for better education.

EXPENDITURES

The August 2018 Board of Health Financials were acknowledged by Board Members.

COMMENTS

There were no additional comments.

ADJOURNMENT

Chairman Nagy asked for a motion to adjourn the meeting.
Motion by Peters, seconded by Zak to adjourn.

MOTION UNANIMOUSLY CARRIED

Meeting adjourned at 8:24 p.m.

Respectfully submitted,



Lisa Fania
Board of Health Secretary