

Regular Meeting of the Franklin Lakes Board of Health

May 6, 2013

March 4, 2013 Agenda

The regular meeting of the Franklin Lakes Board of Health was called to order by Mr. Vieldhouse at 7:35 PM in the Municipal Building.

Mr. Vieldhouse read the Sunshine Law Statement.

Roll Call:

Present: Mr. Vieldhouse, President
Mrs. Fuhr, Vice President
Dr. Billstein
Mrs. Voellmicke, Alternate No. 1
Mrs. Vanacore, REHS/Inspector
Ms. McGuire, Secretary/Registrar

Absent: Councilman Pedone, Liaison
Mrs. Linz
Mr. Perez, Jr.

Minutes:

The minutes from the January 7, 2013 meeting were inadvertently overlooked and not voted upon.

Reports:

On a motion by Dr. Billstein, seconded by Mrs. Fuhr, the monthly fees report for January 2013 was approved.

Roll Call Vote: All Ayes – Mr. Vieldhouse, Mrs. Fuhr, Dr. Billstein

On a motion by Dr. Billstein, seconded by Mr. Vieldhouse, the monthly fees report for February 2013 was approved.

Roll Call Vote: All Ayes – Mr. Vieldhouse, Mrs. Fuhr, Dr. Billstein

On a motion by Mr. Vieldhouse, seconded by Dr. Billstein, the Sanitarian's inspection report for the month of January 2013 was approved.

Roll Call Vote: All Ayes – Mr. Vieldhouse, Mrs. Fuhr, Dr. Billstein

On a motion by Mrs. Fuhr, seconded by Mr. Vieldhouse, the Sanitarian's inspection report for the month of February 2013 was approved.

Roll Call Vote: All Ayes – Mr. Vieldhouse, Mrs. Fuhr, Dr. Billstein

Vouchers:

Ms. McGuire signed the vouchers appearing on the March 4, 2013 agenda due to the cancellation of that meeting.

The Board members reviewed the vouchers previously signed by Ms. McGuire.

New Business:

The Board members reviewed the 2013 contract from the Borough of Waldwick for the well-baby clinics. The immunizations will now cost \$20.00, a \$5.00 increase from last year. The fee for examinations will continue to be \$35.00. The annual one (1) time administration fee will also remain at \$125.00.

On a motion by Mr. Vieldhouse, seconded by Mrs. Fuhr, the 2013 contract from the Borough of Waldwick for the well-baby clinics was approved.

Roll Call Vote: All Ayes - Mr. Vieldhouse, Mrs. Fuhr, Dr. Billstein

Ms. McGuire will forward a memo to the Mayor and Council requesting their approval.

Ms. McGuire said the Mayor and Council approved the 2013 contract agreements the Board of Health previously approved with Valley Hospital for nursing services, Tyco Animal Control for animal control services and Bergen County Department of Health Services for Health Officer coverage and Sanitarian services.

Old Business:

Ms. McGuire said the Board members have not yet determined who will be the attending physician for the 2013 annual flu clinic. At the January 7, 2013 Reorganization Meeting, Dr. Billstein offered his services to be the attending physician at the clinic. Mrs. Fuhr requested this discussion be tabled until the next scheduled meeting when Mr. Vieldhouse would be present.

Mr. Vieldhouse asked Dr. Billstein if he still wanted to be the attending physician at the clinic. Dr. Billstein said he did. Mr. Vieldhouse stated he has no objection and his fee will have to be established. Dr. Billstein said he planned on providing this service as a volunteer.

Ms. McGuire said she wanted to confirm that the Board of Health would not be contracting with Dr. De Guzman this year. Mr. Vieldhouse said if Dr. Billstein wants to be the attending physician we would love to have him.

Open the Time for Public Comment:

On a motion by Mr. Vieldhouse, seconded by Dr. Billstein, the time for public comment was open.

Roll Call Vote: All Ayes – Mr. Vieldhouse, Mrs. Fuhr, Dr. Billstein

Mrs. Marra, event planner, attended the meeting to discuss the fee for the Board of Health temporary food licenses. She said she has worked on the Franklin Lakes Town Fair for a few years and the food license fee is one of the items that continue to be an issue. In prior years regarding the Franklin Lakes Town Fair, some of the food vendors were paired up with non-profit organizations. For example, a local school PTA hired Dippin Dots to sell ice cream. Dippin Dots gave a portion of their proceeds to school. Dippin Dots listed themselves along with the name of the school PTA on the temporary food license application so they avoided the \$100.00 fee.

Mrs. Marra said there is an upcoming event for the Mayor's Wellness which is non-profit. They will be raising money for cancer research for a little boy's treatments and also uniforms for the special needs baseball team. Five different food vendors will be attending. They will all make a donation to the cause by paying \$75.00 for a place at the event. Mrs. Vanacore asked why the Borough doesn't waive that fee. Mrs. Marra said they are trying to raise money.

Ms. McGuire explained that the Board of Health ordinance for temporary food licenses states there is a \$100.00 fee charged to profit organizations and no charge for non-profit organizations. Religious establishments are exempt from fees. Approximately two (2) years ago the Board of Health raised all the fees including temporary food licenses. We were previously charging \$50.00 for profit organizations. Ms. McGuire contacted eight (8) municipalities in the northern Bergen County area to inquire what they charge. The fees were increased to \$100.00 so Franklin Lakes would be comparable with the surrounding towns. Ms. McGuire said it has never been determined what is profit and what is non-profit and this is the issue.

Mrs. Marra said there is an upcoming basketball tournament. The vendors will be paying \$75.00 for the opportunity to sell food at the event. The \$75.00 fee will go to the non-profit organization, the Mayor's Wellness, which they in turn will use to raise money. Mrs. Marra said the vendors won't participate if they will be required to pay an additional \$100.00 for a food license. They claim it's not worth it because it becomes too expensive.

Mrs. Marra said she spoke to the Northwest Bergen Regional Health Commission and they contract with ten (10) towns. Some of those towns have special non-profit events that are exempt. Either the Board of Health or the Mayor and Council approves the events making them non-profit so those charities can make money and not incur a charge.

Ms. McGuire and Mrs. Vanacore advised the Board members of the numerous annual events within the Borough requiring temporary food licenses such as the Town Fair, Memorial Day Parade, the car show, soccer tournaments, La Cross tournaments, the Lions Club carnival and the circus. Ms. McGuire said that could be a grey area determining which events are deserving of an exemption. Mrs. Vanacore said there are twenty (20) food vendors that participate at the annual carnival sponsored by the Lions Club and they all pay the \$100.00 license fee.

Mr. Vieldhouse said one of the reasons the Board of Health raised the temporary food license fee was due to the Borough losing money because Franklin Lakes had to pay the County for the food inspections at these events. Dr. Billstein said the food vendors could charge more for the food so they would get their money back. Mrs. Marra stated the vendors won't come. She said she did not know if the Board Members would consider reviewing each event on an individual basis so some could pay a lesser fee or be considered exempt.

Ms. McGuire suggested that food vendors that donate \$100.00 to that charity could then list themselves as non-profit on their food license applications and would be exempt from paying the fee. Mrs. Marra said she has no problem with that.

Dr. Billstein asked if there is a set donation that the food vendors give. Mrs. Marra said no but she could make that a rule. Dr. Billstein said that would make sense. If there are problems separating profit from non-profit and they participate under someone else's aegis as a non-profit, then there has to be a set donation and that could be the \$100.00, or more if they want. Mrs. Marra said she has no problem doing that.

Mr. Vieldhouse said Ms. McGuire's suggestion sounds the most logical. Mrs. Marra said if they make a \$100.00 donation to the non-profit event she would list them as non-profit on the

temporary food license application.

Ms. McGuire suggested the Board members vote on this issue. She will ask Mr. Hart, the Borough Administrator, if an ordinance must be passed. Mrs. Vanacore suggested the Board members vote on not charging the food vendors, not saying they are a non-profit, but waiving the fee if they make a donation to that fund raising event.

On a motion by Mr. Vieldhouse, seconded by Dr. Billstein, the temporary food license fee will be waived for food vendors that make a donation in the amount of \$100.00 to that non-profit town function that benefits the schools, the Mayors Wellness, etc..

Roll Call Vote: All Ayes – Mr. Vieldhouse, Mrs. Fuhr, Dr. Billstein

On a motion by Mrs. Fuhr, seconded by Dr. Billstein, the time for public comment was closed.

Roll Call Vote: All Ayes – Mr. Vieldhouse, Mrs. Fuhr, Mrs. Linz, Dr. Billstein

Adjournment:

On a motion by Mr. Vieldhouse, seconded by Mrs. Fuhr, the meeting was adjourned at 8:12 PM.

Roll Call Vote: All Ayes – Mr. Vieldhouse, Mrs. Fuhr, Dr. Billstein

Respectfully submitted,

Betsy McGuire
Secretary/Registrar, Board of Health