

**Township of Bloomfield Board of Health  
June 9, 2004 Meeting Minutes**

A regular meeting of the Bloomfield Board of Health, as established by public record in the Independent Press on January 2004, was called to order on June 9, 2004 in the Mayor's Conference Room in the Law Enforcement Building.

Roll call by President McLaughlin showed the following members to be present:

James McLaughlin, President  
Laura Papciak, Board Member  
Lissette Figueroa, Board Member  
Patricia Barker, Board Member  
Lisa Jasinski, Board Member

Also present were Margaret O'Boyle Dunigan, Council Liaison, Trevor Weigle, Director, Vincent Nicosia, R.E.H.S.

The minutes of May 12, 2004 were accepted.

President McLaughlin asked if there was anyone from the public wishing to comment. No one came forward.

The May licenses were approved.

Communications were discussed. On request, items 10, 12, 15, 18, 19 were shown to various board members.

The Health Director's report was discussed. From his report, the following was highlighted: He was questioned about who was policing and/or enforcing the code concerning the illegal feeding of geese on weekends. V. Nicosia, R.E.H.S., outlined the inspector's duties, which include inspecting and spot checking food establishments, hair salons, pools, educating business owners on food safety, and issuing summons for violations if necessary. They also inspect complaints of solid waste, high grass and weeds, rodents, bee swarming, oil spills, lead and asbestos. Mr. Nicosia also does Section 8 inspections with the Building Department. Water samples to check for bacteria from residents and businesses are taken weekly. The numbers on the inspector's reports were questioned by the Board so Mr. Nicosia explained what an inspection entails. They also do plan reviews for new establishments. The Health Director's report was approved.

The financial report was introduced and accepted.

Councilwoman Dunigan provided Council Liaison's report.

President McLaughlin asked if there was any unfinished business.

There was a second reading of the proposed amendments to Chapter 78, Animals. President McLaughlin read the ordinance.

**AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED “CHAPTER 78, ANIMALS” WITHIN THE TOWNSHIP OF BLOOMFIELD, ESSEX COUNTY, NEW JERSEY:**

**BE IT ORDAINED, by the Board of Health of the Township of Bloomfield, County of Essex, State of New Jersey that “Chapter 78, Animals” is hereby amended as follows:**

§ 78-2. Running at large.

All persons are prohibited from permitting any animals belonging to him or in his possession to run at large in any of the public streets, parks or other open places in the township. Service animals, as defined by the Americans with Disabilities Act and animals engaged in police, fire, or other government sanctioned activities are exempt from this provision.

President McLaughlin asked if anyone from the public had any comments. No one came forward.

The Amendment was passed on second reading. All Board members voted “Yes.”

There was a second reading of the proposed amendments to Chapter 282, Animals and Fowl. President McLaughlin read the ordinance.

**AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED “CHAPTER 282, ANIMALS AND FOWL” WITHIN THE TOWNSHIP OF BLOOMFIELD, ESSEX COUNTY, NEW JERSEY:**

**BE IT ORDAINED, by the Board of Health of the Township of Bloomfield, County of Essex, State of New Jersey that “Chapter 282, Animals And Fowl” is hereby amended as follows:**

Chapter 282, ANIMALS AND FOWL

§ 282-1. Keeping of animals and fowl.

- A. It shall be unlawful for any person to keep or maintain swine, goats, cattle, horses, other livestock or ducks, geese, pigeons, chickens or other fowl within the Township of Bloomfield on any private or public plot of land or other premises.
- B. Repealed
- C. Repealed

§ 282-2. Report of rabies.

It shall be the duty of all persons owning or having interest in or having in their possession or under their control or having knowledge of any dog, cat or other animal affected with rabies or suspected of being affected with rabies to report this fact immediately to the Board of Health or the Health Officer by telephone and in writing. The written report shall contain a description of the animal, the location of the animal and the name and address of the owner.

§ 282-3. Slaughtering.

- A. By reason of the density of the population in the township and the offensiveness of slaughterhouses, live-chicken markets and similar places, it is hereby declared that a slaughterhouse or any market or store where live animals or fowl are kept for sale or slaughtered on the premises occupied by or connected with such market or store is a nuisance and shall not be conducted or permitted in the township.
- B. No person shall slaughter, kill or butcher, or raise or keep for the purpose of slaughtering, killing or butchering, any swine, sheep, goats, cattle, other livestock or fowl within the Township of Bloomfield.

§ 282-4. Restriction on permanently domiciled domestic animals.

Because of the density of population in the Township of Bloomfield, and the danger to health caused by a large number of permanently domiciled domestic animals in any one (1) household and odors arising therefrom, it is determined that

no one (1) household may keep more than five (5) permanently domiciled domestic animals over the age of three (3) months at any one (1) time.

§ 282-5. Feeding of Wildlife

A. It shall be unlawful for any reason to feed any migratory or resident waterfowl or wildlife on any private or public land within the Township.

B. It shall be unlawful to create any condition or allow any condition to exist which results in a congregation or congestion of migratory or resident waterfowl or wildlife within the Township which:

- (1) Results in an accumulation of feces or droppings, or
- (2) Results in damage to flora, fauna or private or public property, or
- (3) Results in a threat or nuisance to the public health, safety or welfare, or
- (4) Results in a threat to the health, safety or welfare of said migratory or resident waterfowl or

wildlife.

C. This ordinance shall not be applicable to residential birdfeeders.

§ 282-6. Violations and penalties.

Any person, firm or corporation who shall violate any of the provisions of this Ordinance shall upon conviction be punished by a fine not exceeding \$1000.00, imprisonment for a term not exceeding ninety (90) days or a period of community service not exceeding ninety (90) days or a combination thereof, and each violation of any of the provisions of this Ordinance and each day this same is violated shall be deemed and taken to be a separate and distinct offense.

§ 282-7. Unconstitutionality Clause.

Should any section, paragraph, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid for any reason, the remainder of said Ordinance shall not be affected thereby.

§ 282-8. Conflict of Regulations.

In any case where a provision of this Ordinance is found to be in conflict with any State or Federal regulation, on the effective date of this Ordinance, the provision which establishes the higher standard for the promotion and protection of the health and safety of the people shall prevail.

President McLaughlin asked if anyone from the public wished to comment.

Someone asked how the public is informed about new ordinances and it was explained that they are published in the Independent Press.

The Amendment was passed on the second reading. All Board members voted "Yes."

Border collie/geese control was discussed. There are two options: purchase and renting. Right now, the Town does not have the manpower to train and work the dog or the budget to buy a dog. Director Weigle stated that the Board of Education would pay a portion of the cost since most of the geese are on school property. They were not interested in purchasing because it did not work in the past. There was a discussion as to who is responsible to finance this service. A vote was suggested to rent or purchase a dog with a stipulation that if it is rented, the BOE and maybe the Recreation Dept. would pay for a portion of the cost. The terms of the contracts of Federal Goose Patrol and Geese Police were discussed. All the information obtained concerning this issue should be presented to the BOE. A vote was taken to rent with the stipulation that the Board of Education shares 50% of the cost of the most economical contract. All Board members voted "Yes."

Boards of Health By-Laws were obtained from other towns and will be looked at over the summer by Board member Patricia Barker. Autonomy concerning the BOH was discussed.

President McLaughlin asked if there was any new business. The trap, neuter and return pilot project report and Woman's Health Clinic information was given to the Board by Director Weigle.

The Board adjourned to the Closed Session at 9:05PM

Upon reopening of the closed session a motion and second were made that FoBAS will take over the entire operation and management of the Animal Shelter with certain stipulations and upon a workable Management Agreement and after legal review. The roll-call vote was:

James McLaughlin	“YES”
Laura Papciak	“YES”
Lisette Figueroa	“YES”
Patricia Barker	“NO”
Lisa Jasinski	“YES”

The motion and second carried.

There was a motion and second to adjourn the meeting.

Meeting was adjourned at 10:45pm.

Respectfully Submitted,

Trevor J. Weigle, Director  
Secretary to the Board