

**Princeton Regional Health Commission  
Minutes  
July 17, 2012**

The regular monthly meeting of the Princeton Regional Health Commission as convened at 7:30 PM at Princeton Borough Hall-East Conference Room.

**Members Present:** Robert Ciotta, PhD, Dr. George DiFerdinando, Catherine Hegedus, RN, Lindsey Kayman, Dr. Charles Rojer, Bruce Topolosky

**Alternate:** Leon Rosenson,

**Liaisons:** Bernard Miller

**Also Present:** David Henry, Health Officer

**Members absent:** Sandra Zordan-Friedman, CNM, MSN; Jo Ann Hill, RN.

Dr. Laura Kahn

**Liaisons:** Heather Howard

**Noise Ordinance for Princeton Borough/ Princeton Township – Public Comment**

**Visitor:** Anthony Lunn, 47 Hawthorn Avenue

Mr. Lunn is concerned about the level of noise pollution in his neighborhood. He has taken noise levels on his front lawn that was above 90 dBs. and is concerned that the noise levels are increasing and becoming a bigger problem. He mentioned that the equipment used by the Westminster Choir College is particularly offensive in the winter he sent a letter to the facility and got no results.

Mr. Lunn indicated that he has drafted a document entitled “A Beautiful Street is a Quiet Street”.

Mr. Lunn indicated that he received a copy of the Noise Ordinance today and is hoping the ordinance would be reviewed by the Health Commission and that the Commission addresses the weaknesses in the ordinance before sending it to the Governing Bodies of Princeton Borough and Princeton Township.

Mr. Lunn referred to article 9B of the Ordinance and thought that this section of the ordinance made the other section void.

Mr. Lunn indicated that he was a member of the Environmental Commission and tried to have the lawn care organization control the noise levels.

Ms. Kayman asked what type of work was being done when the noise levels were 90 and 93 dBs. Mr. Lunn indicated that two (2) or five (5) leaf blowers were being used at one time.

Dr. Rojer asked how long the noise lasted. Mr. Lunn indicated that it can be about twenty minutes on one property; this amount of noise is also hazardous to your hearing and health since one inhales the gasoline fumes.

Dr. DiFerdinando indicated that he is familiar with the type of hazard this noise can cause he has also experience the same activity in his neighborhood.

Mr. Henry indicated that an intern in his office has done research that details a City of Portland the ordinance allows for leaf blowers only at a certain decibel level.

Scott Silars of 59 Battle Row

Mr. Silars stated that he works at home and it is impossible to work when the landscapers are working; one particular landscaper work on Sundays from 9:00 am to 3:00p.m

Mr. Silars suggested that the ordinance should be very clear with strict enforcement on the noise pollution for the health and welfare of the residents.

Ms. Kayman inquired if monitoring the noise levels would be overwhelming for the health department by enforcing the ordinance. Mr. Henry indicated that they are a number of options such as education and enforcement. The Police Department does not have the certification to measure noise from the State but could help assist with the enforcement.

It was suggested that commercial landscapers be included in the ordinance to regulate the noise level and include regulations for Saturday and Sundays.

Mr. Henry reminded those in attendance that most municipalities adopt the State model ordinance, the ordinance has gaps and if the ordinance is stricter than the State requirement; the ordinance would have to be reviewed by the Department of Environmental Protection for the modification and approval.

Mr. Rosenson inquired if it is possible for the Health Commission and the Environmental Commission to work with the Borough and Township Counsel and recommend that action is taken on this issue.

Mr. Henry indicated that this was the first reading of the ordinance and it would be sent to the Borough and Township Counsel and it is the hope that they would adopt the same ordinance. Further review of the proposed ordinance would be reviewed by the Commission at its September meeting.

Sewer Fumes at 33 Stuart Close

Dr. DiFerdinando gave a brief over view of the situation with the Fishers and gave a copy of bills they had accumulated for laboratory testing and hotel/living expenses incurred by not being able to live in their home to the Mr. Henry and Mr. Topolosky. Ms. Fisher will give the details of what is happening with the modification in their sewer system.

Mrs. Mettie Fisher 33 Stuart Close

Mrs. Mettie Fisher stated on April 24<sup>th</sup>, they received notice from the Princeton Sewer Operating Committee that work would be done on the sewer system The work involved the sewer pipes being lined with a new system where the pipes are not dug up and replaced but is lined with a special chemical process. Mrs. Fisher stated that “we were warned that there would be some smell and that the water should not be used”. The work started on April 25, and we made sure that the work crew knew where the laterals for our sewers were and left the premises, upon return we entered the house and the fumes were unbearable, all the effluent from the chemical reaction was blown by a half pressure and steam hose down the sewer and main and before it reached the man hole it came up into our home. Our first reaction was to rushed in and open all the windows and doors to air out the house,

later that afternoon one of the crew that installed the chemical came by to let us know it would be done again the next day and at that point I was made aware of what gases were involved, I had some material available to me fairly quickly on the devastation that styrene has on a person's body, we began to feel the effects shortly after that and it stayed with us until last week, we had to leave the house since it was contaminated. We were very weak and spent four days on the computer googling trying to find out what to do. We called the Sewer Operating Committee and the Health Officer who had some kind suggestions. We called the Towns' Attorney and the answer was it sounds bad but good luck.

I have spoken to Dr. Ted Taylor and he said it is a reactive molecule that it would not be around very long. It would be in the rugs and the curtains also your lungs and then its gone, but we have aired out the house just to be on the safe side after eleven days of this event we had an air test done to be sure it was safe to return to the house. Mr. Henry and Mr. Hough, the chairman of the Sewer Operating Committee, were present at the house during the air testing and the test was clean enough for us to return to the house.

Mr. Hough indicated that he would be happy to reimburse us the cost of the test. Mrs. Fisher paid for the test by check and has not yet been reimbursed.

Mrs. Fisher is hoping to be reimbursed for the two weeks hotel stay and the cleaning of the house and all meals. It was an unfortunate accident.

Mr. Henry indicated that he was called on the April 27, at about 4:30p.m and he called Mr. Hough of the Sewer Operating Committee and then I spoke to Mrs. Fisher on the Friday and also on Sunday, April 29th on his way to church.

The Fishers chose a test company to come out and the date was May 3

Mr. Hough and Mr. Henry witnessed the test. The person doing the test indicated that an expedited test could be done so that the results would be back in two or three days and Mr. Hough offered on behalf of the contractor to pay for the expedited test and after four days. No results were received after the four days. Mr. Henry spoke to Mrs. Fisher to ask if the results were back and at that point we offered to pay if we had the sample results since that was the way to prove that the lab results were delivered before we pay the fee. Mr. Henry continued to speak with the Fishers and the contractors and it was May 22, and he had not received the results and he called the lab and was told that because of strict client confidentiality they could not give the results to the municipality. Mr. Henry asked the lab director if they would call the Fishers and ask them to give us the results since we would like to get to the bottom of this situation and if there was exposure we would like to do whatever we could, when we looked at the manufactures data sheet for styrene. Mrs. Fisher indicated that she was talking to the Environmentalist about the cost when she got a call from Mr. Hough and he informed her that he would pay for the test and at that point she allowed the test.

Dr. DiFerdinando gave the reason for inviting the Fishers to the meeting and asked the Fisher to forward the lab test results. Mrs. Fisher insisted that was not the original agreement, he also pointed out the Mr. Hough would have a difficult time in getting a check on his say so and without backup documentation.

Mr. Fisher indicated that this operation started at about 7:00A.M the next morning and they were told that the operation was harmless and if you Google CDC or OSHA on styrene it screams hazardous, wear mask and protective clothing. When we returned to the house the smell was overwhelming and the other thing is the house has an old furnace with an open flame as a pilot and I was afraid of exposer to the open flame.

Mr. Henry indicated that the case is still open.

Mr. Topolosky it is unfortunate this happened and the disruption to your lives, there is very little that the Health Department can do to adjudicate any of this, they can only review and evaluate the various documentation, the complaint has not been closed and the Sewer Operating Committee has an obligation to continue, and it is in their hands and certain steps have to be made to bring this to a resolution and closure.

**Dr. DiFerdinando**

The one issue that I plan to follow up on from a policy point of view is the communication between the Sewer Operating Committee and the public. I read the letter that was sent out and it is a complicated letter.

Mr. Fisher noted that his son lives in the suburbs of Boston and the same operation was done in his neighborhood and he said that in every cleanout a rubber ball was placed so nothing would leak through. Mrs. Fisher said that she called and spoke to Mr. Hough and he indicated that this was the first time that this had happened.

Mr. Topolosky asked if it was the first time that this application was applied.

Mr. Henry said no it had been used before throughout the Township.

Mr. Topolosky thought the communication should be better in terms of the contractor and the SOC.

Dr. DiFerdinando Proposed the documentation should be reviewed and Mr. Henry should reach out to Mr. Hough, and it is understandable that a check will not be cut without a receipt.

Mrs. Fisher thanked Mr. Henry for his help in referring her to Dr. Uttis.

**Minutes – June 19, 2012**

A motion to approve the June 19 minutes was made by Mr. Rosenson and seconded by Mr. Ciotta

**Noise Ordinance for Princeton Borough/ Princeton Township Committee Comments:**

Dr. Rojer indicated that he read the ordinance and except for the technical aspect various sound pressures areas he thought that it was reasonable in terms of the sounds noise level that is acceptable in terms of time of 7:00 p.m. to 10:00 p.m this is not inappropriate but this is a different type of noise continuing for twenty to thirty minutes or more the problem is how it can be monitored.

Mr. Miller indicated that the township has a noise ordinance and it is being amended to include emergency generators the emergency generators has to be tested once every week, and there is a difficulty in the enforcement, the test meter is in the hands of the police when there is a complaint and an officer has to be available to go out and invariable when the officer arrives at the location, the noise has stop. Also, if the test instrument is not calibrated and if the case goes to court the case is thrown out.

Mr. Rosenson suggested that landscapers that work in the Township or the Borough should have a license and a certain type of equipment to be allowed to operate in the Township or Borough.

After more discussion Dr. Rojer recommended that the ordinances of other Municipalities in New Jersey be reviewed on there noise control and report at the next meeting. This was seconded by Mr. Topolosky.

### **Monthly Reports/ Health Officer's Report (May/June)**

Mr. Henry reported that a bat exposure occurred at the University the student was sent for the post exposure rabies shot, the results came back and it is positive the student is on the second round of shots.

Mr. Henry is currently reviewing a draft shelter management plan with the Central Jersey American Red Cross.

Mr. Henry will attend the Greater Mercer County Community Needs Assessment this is scheduled for July 18<sup>th</sup>

Mr. Henry and Dr. DiFerdinando attended the Climate Adaptation Conference in New Brunswick.

Mr. Henry held a meeting with representative of the proposed Princeton Department of Health and Social Services and they are working on a proposed mission and vision statements.

The Health Department has four interns and they are working on various reports and projects for the Department.

Mr. Henry and Mark Johnson the Animal Control Officer attended an animal control officer's conference about feral cats sponsored by the NJ Association of City and County Health Officials. Mr. Henry indicated that the State will not institute state-wide cat licensing.

Mr. Henry is working with the Princeton University State Health Department and the Mercer County Health Officers in the pilot testing food establishment inspection forms for the I Pads and tablets. It is hoped that the forms would be used by the State and provide a more efficient food inspection report. Mr. Henry was informed that the food code is expected to be changed in the year 2014.

The Health Department has been selected for a two year pilot study for flu clinic software that would take names and make appointments.

The Department continues to work on the Mayor's Wellness Campaign, Princeton Health Care System that agreed to sponsor the Mayor's Wellness Campaign. Mr. Henry toured the neighborhood information center and there were no directional signs, he spoke to Ms. Hersh regarding the need for directional signage.

Mr. Topolosky suggested that Ms. Hersh should have the signage done by September 1<sup>st</sup> if it is not done by that time a letter should be sent to the CEO.

Dr. Rojer suggested that Mr. Henry contact the Senior Resource Center to get an idea how many people are using the transportation and if it is not being used why.

Mr. Henry indicated that during the last heat wave cooling centers participation was great.

## **Old Business**

Safe Playing Field Ordinance is still Under Review by NJDEP

## **Public Hearing/Final Approval - Ordinance 2012-01 Fee Schedule Amendments**

The first hearing of the Ordinance 2012-01 was held on June 19<sup>th</sup>.

The above ordinance was opened for public comment.

There being no public the hearing was closed.

Ordinance 2012-01 was published on June 22<sup>nd</sup>.

The second reading and approval of Ordinance 2012-01 was held on July 17<sup>th</sup> meeting.

On a recommendation by Dr. Rojer and seconded by Mr. Rosenson this was approved on a voice call vote: Ayes (7) Nays (0)

## **Consolidation Update**

Mr. Miller indicated that the Health Department will remain in the office it now occupies. Mr. Miller also gave a list of offices that will be moving to the Township building and the ones that will remain in the One Monument Drive building.

## **New Business / Members Comments**

### **2013 Proposed Budget**

Mr. Henry gave a brief report on the proposed budget. The proposed budget will be presented to the Committee by August 8<sup>th</sup>.

### **2011 Annual Report**

Mr. Henry with the help of the interns prepared the report. Mr. Topolosky asked that the Commission members review the report and give Mr. Henry any additional information.

Mr. Henry indicated that he had to give his report to the Borough Counsel on July 24<sup>th</sup>

Dr. Rojer indicated he had a number of suggestions to add and he would email them to Mr. Henry.

Dr. Rojer suggested that Dr. Laura Kahn has the Biodefense seminars yearly and they are open to the Commission members Dr. Rojer has attended these seminars and thought that it would be helpful to the members if they could attend these seminars.

Dr. Rojer asked what happened to the evaluations on the Lead Study that was done and thought that it should be included in Mr. Henry's report.

Dr. Rojer indicated that there is a great deal being done about grease and since it is a concern of it being dumped in the sewers and causing a problem by clogging the sewer system, Dr. Rojer thought it

would be a good idea to investigate the possibility of recycling the grease there is a company that collects the grease.

Mr. Henry indicated that he had a discussion with Sustainable Princeton and will try to find one vendor to collect the grease and turn it into Biofuel and its possible use by Public Works.

### **Greater Mercer County Community Needs Assessment**

Mr. Henry indicated that he had a copy of the Executive Summary for comments a meeting is scheduled for tomorrow. Dr. DiFerdinando is involved with this project he indicated that the sponsors Robert Wood Johnson asked for feed back and the goal is to pull hospitals into doing more preventative services in the community.

### **Reports from Committees**

Budget and Finance

Personnel

Planning

No reports were available at this time.

### **Reports from Other Boards and Commissions**

Environmental Commission

Princeton Alcohol and Drug Alliance

No reports were available at this time.

### **Closed Session-Personnel Matters Regarding Commission Employees**

**(if needed)**

Closed session was cancelled.

### **Adjournment**

There being no further business to come before the Commission the meeting was adjourned.