

**MONTVILLE TOWNSHIP BOARD OF HEALTH  
REGULAR MEETING MINUTES  
August 9, 2021 at 7:30 pm**

Members Present

Mr. Charles Perry  
Ms. Betty Bowers  
Dr. Sunil Shah  
Dr. Steven Tuckman

Members Absent:

Dr. Arnold Pallay  
Dr. Sachin Shah  
Dr. Nisha Jani

Others Present:

Michael Hodges, Interim Health Officer  
Amanda Rizzo, BOH Secretary  
David Pennella, Esq., BOH Attorney  
Dr. Matthew Kayne, Committeeman  
Dr. Peter Walsh, Member of the Public  
Eileen Strasser, Member of the Public  
Mark Mansour, Member of the Public

**Call to Order and Roll Call**

With a quorum present, Mr. Perry called the meeting to order at 7:37pm.

As required by the Open Public Meetings Act adequate notice of this meeting was provided. Notice of this meeting was emailed to The Daily Record Newspaper, posted on the bulletin board in the lobby of the Montville Township Municipal Building, filed with the Township Clerk and posted on the Montville Township website at [www.montvillenj.org](http://www.montvillenj.org).

Mr. Perry took a roll call of members present.

**Approval of Minutes**

MOTION: A motion was made by Dr. Sunil Shah, to approve the Regular Minutes of the Board of Health Regular Meeting held on July 12, 2021. Seconded by Dr. Tuckman. All members voted yes. Motion passed.

**Public Comments**

MOTION: A motion was made by Dr. Sunil Shah, to open the meeting to public comments from any citizen wishing to speak before the Montville Township Board of Health. Seconded by Dr. Tuckman.

Mr. Perry asked if there were any questions or comments for items on the agenda.

There were no questions or comments.

Mr. Perry asked if there were any questions for items not on the agenda.

There were three members of the public present. Questions were posed to the Board of Health about the recent Executive Order and masking of children starting in September 2021 school year.

Dr. Peter Walsh, 36 Douglas Dr.

Dr. Walsh has two children in school, 7 and 9. He asked if the Board of Health agreed with the fact that the Board of Education ignored the Board of Health's guidance.

Mr. Perry stated that the Board of Education is a standalone agency and that they take recommendations from the Board of Health, but they are an independent body and follow their own set of rules and guidelines. He had no further comments.

Dr. Walsh asked if the Board of Health could share where they think the pandemic is headed and what is our way out of it. He further commented that the variants Delta and Lambda are already here. In his opinion the focus should be on the elderly and immunocompromised. He is of the belief that masking children for nine hours a day in school and then aftercare is insane. The data and statistics indicate a 99.99% survival rate in children. Montville in particular is over 70% vaccinated, and if you count those who have recovered from COVID-19 it is well over 80%, which is sufficient for herd immunity. Immunology 101 would say we're there and it seems to me we are reverting back to the old practices again. He is just expressing his frustration over the entire situation.

Mr. Hodges understands his frustration but stated that Executive Order No. 251 will be enforced when the children go back to school in the fall. The hope is that the numbers will decrease and that the mandate will not last very long.

Ms. Eileen Strasser, 24 Forest Pl.

Ms. Strasser has four children with two children still attending the district schools. Her main concern is the mental health of her children who have learning disabilities and suffer from anxiety. She was very unhappy to receive an email today from the Superintendent's office regarding the masking of the children at school in the fall. Her children were not masked throughout the summer. She has a large family who has traveled by car and airplane. They have attended many different events and have been in close contact with others, and have been just fine. Her family believes in natural immunity, eating a balanced diet, exercise, and vitamins.

Ms. Strasser asked what the role of the Board of Health was. She feels there is a lack of transparency and is disappointed by this.

Mr. Perry explained the background and function of the Board of Health. The Board of Health is comprised of volunteers from the Township who serve three-year terms. This board is the policy division of the Board of Health. The actual Board of Health are those who go out in the field for inspections, perform the health clinics and so on and so forth. The Board is guided by a series of regulations and laws from the State. As he mentioned at the start of the pandemic, the Board does have the jurisdiction over local nuisances such as mishandling food at an establishment. The Board does have the power to shut them down or take their license away.

At the onset of the pandemic, the State indicated it was going to take over everything regarding the COVID-19 pandemic. As a result of that, the Board which is known as an oversight and a policy body were basically stripped of those duties.

Mr. Hodges added that the State sets the standards that must be followed. Our rules can be stricter than what is required but not less than what is required.

Mr. Perry commented regarding Ms. Strasser's comment about a lack of transparency. The former Health Officer, Aimee Puluso was extremely transparent in her work. She bent over backwards, worked 90 plus hours a week and provided information to the public through the township website and by fielding multiple phone calls. Mr. Perry takes umbrage to the comment about the lack of transparency.

Mr. Hodges added that as a former teacher of children with special needs, autistic mostly and developmentally disabled, he understands not as a parent but as a teacher, exactly where she is coming from. We can try to provide in addition to the information from the State, evidenced based health education to help individuals keep themselves healthy. Good nutrition, modest exercise, and sleep are the best thing one can do to keep themselves healthy.

Ms. Strasser's other concern was the HVAC systems in the schools and ways of improving the air quality. Is the Board able to go and check the HVAC systems for protective measures? There are UV lights that can be added to these systems.

Mr. Perry stated that you have to approach the Board of Education addressing those issues. We can certainly go in and do testing but it comes down to the resources: time, money, and personnel.

Dr. Shah commented that it is his understanding that the Township Engineer does inspect the school systems, heating and ventilation systems before start and close of the school year. We as a Board of Health can recommend UV light if it is necessary but we don't have the jurisdiction to impose this on the school. Township Engineer for the latest report on the HVAC system to see the latest inspection and findings and any recommendations.

Mr. Hodges added that we cannot enforce anything of that nature but we can recommend and encourage.

Ms. Strasser thanked the Board of Health.

Mark Mansour, 13 Hollister Rd.

First he wanted to thank the Board of Health for allowing them to have an open conversation and listening to what we have to say. To give a little background about himself, he is a resident of Montville for 10 years, a teacher, with two young children (who both have IEP's) and are enrolled in the Montville schools.

Mr. Mansour had two questions for the Board of Health.

What would the Health Department's stance be if a restaurant decided to require vaccine passports in order to gain entry? He's seen this happening in different areas and wanted to know how the Township would handle this.

Mr. Pennella advised from a legal standpoint that the Board could not impose restrictions on the individual liberty of the Owner to have something more restrictive than already in place. So if in fact there is not a mask mandate and a particular owner of a business wants to impose that, it is his right to do that. He may lose a lot of business, that's the risk he takes, but he doesn't believe that he has the authority to restrict his ability to impose something stricter.

Could the health department work with the school board on having better communication between the school and parents?

The Mansours' dropped their son off today at school without a mask because as of July 2, 2021 it was optional. When Mrs. Mansour went to pick up their son at the end of the day, he was masked. They were disappointed to see the schools doing that without even notifying the parents first. It's concerning that the school put a medical device (mask) on his child without notifying the parents first.

Mr. Hodges acknowledged Mr. Mansour's concerns. Mr. Hodges mentioned that in Executive Order 241 there is an instance when a mask is precluded and that is when a student's documented medical condition or disability is reflected in an IEP or educational plan which precludes use of a face mask. So although, the mandate exists, there are certain exceptions, but he appreciates what you are saying as a parent.

Mr. Mansour thanked the Board of Health.

MOTION: A motion was made by Ms. Bowers, to close the meeting to public comments from any citizen wishing to speak before the Montville Township Board of Health. Seconded by Dr. Tuckman.

Mr. Perry took a roll call of members present. All members voted yes. Motion passed. Public session closed.

### **Unfinished Business**

Mr. Perry read the title of the proposed ordinance revision "Township of Montville Board of Health Ordinance 2021-01, The Code of the Township of Montville, New Jersey Chapter 419 Food and Beverages Article II Retail Food Establishments."

MOTION: A motion was made by Ms. Bowers, to pass and approve the 2<sup>nd</sup> reading of Ordinance 2021-01. Seconded by Dr. Sunil Shah. Motion approved.

MOTION: A motion was made by Ms. Bowers, to open the meeting to public comments from any citizen wishing to speak before the Montville Township Board of Health. Seconded by Dr. Sunil Shah.

There were no questions or comments.

MOTION: A motion was made by Ms. Bowers, to close the meeting to public comments from any citizen wishing to speak before the Montville Township Board of Health. Seconded by Dr. Sunil Shah.

Called for a discussion among Board Members. There was no further discussion.

Mr. Perry took a roll call of members present. All members voted yes. Motion passed. Ordinance to be published.

### **New Business**

Executive Order No. 251 was reviewed and discussed throughout the meeting regarding the masking of the children in the schools.

### **Reports**

Mr. Hodges asked if there were any questions on the July 2021 Health Department's Monthly Activity Report and COVID-19 Summary as of August 6, 2021.

Mr. Hodges stated as of July 30<sup>th</sup> through today there were 24 COVID-19 cases.

Ms. Bowers had commented the one case of "Babesiosis" which relates to ticks. Curious about how did the doctor's office determined the difference between babesiosis and lyme disease. Mr. Hodges stated that he will find out. It is a difficult disease to make a positive diagnosis. Ms. Bowers agreed.

Ms. Bowers had commented regarding "Hepatitis C" cases and hope that these patients were encouraged to get HIV tests.

Mr. Perry asked if there were any further questions. There were no further questions.

### **Correspondence**

There was no correspondence to report.

### **Adjournment**

Mr. Perry asked if there was any further business to come before the Board.  
There was no further business.

MOTION: There being no further business to come before the Board, a motion was made by Ms. Betty Bowers to adjourn the meeting. Seconded by Dr. Sunil Shah.

The meeting was adjourned at 8:31 pm.

The next meeting is scheduled for September 13, 2021 at 7:30 pm.