

**Princeton Board of Health Minutes**  
Monthly Meeting  
**February 17, 2015**  
Monument Hall – East Meeting Room  
One Monument Drive, Princeton, NJ 08542

**Present:**

**Board Members:**

Lauren Babcock Dunning, MPH  
George DiFerdinando, M.D  
Joann Hill, RN  
Laura Kahn, MD  
Steven Miller, PhD  
Charles Rojer, M.D., Chairman  
Linda Schwimmer, Esq.  
Linda Steiner-Sichel, MPH  
Rick Weiss, MS

**Staff:**

Jeffrey Grosser MHS, HO  
V Bea Snowdon

**Liaisons and Guests:**

Elizabeth Bidwell Bates, HSC  
Heather Howard, Council

**I. Call to Order**

At 7:37PM, Chairman Rojer called the meeting to order by affirming: "This meeting of the Princeton Board of Health has been duly advertised and is being conducted in compliance with all provisions of the New Jersey Open Public Meetings Act."

**II. Roll Call**

A formal roll call determined that all Board Members were present.

**III. Public Comment & Guests – Bairy Suri, Esq. & Kathy Korwin, RN**

Bairy Suri of *Sustainable Princeton* shared the history of a local movement to ban single use bags. A bag ordinance, co authored by Daniel Harris and Bairy Suri, was a natural extension of this grass roots activism. Adoption of this ordinance is now being proposed to Council.

The bag ordinance is intended to create behavioral change in Princeton, by imposing a minimum charge of 10 cents per single use shopping bag on retail customers. Suri shared that the ordinance takes into account the beliefs of many in our community. It requires the availability of 40% post consumer recycled paper bags at the point of sale. Exemptions are allowed for some businesses.

The *Princeton Environmental Commission (PEC)* has endorsed the ordinance. Heather Howard and Jenny Crumiller have also endorsed this environmentally conscious legislation. Currently, the town is checking the constitutionality of the ordinance and then it will go to Council for vote. Ms. Suri promised to make key provisions and a list of all towns that have enacted the charge, available to all Board members. In conclusion, Ms. Suri said "we are in a state of crisis" and need to "think long and hard" about the health of the planet.

Noting concerns for health, wildlife, and the environment, Dr. DiFerdinando stated that he is for an absolute ban. He shared his knowledge of total bans in the Outer Banks and Chester County, MD.

Chairman Rojer introduced Kathy Korwin, RN, who has been Princeton's public health nurse for 25 years. Nurse Korwin shared the Health Department's interest in increasing the presence of public health

and finding out what residents need. This strategy will help determine where public health funds will go. Nurse Korwin gave examples of how knowledge of the community saves time and preserves health. She currently has two focuses, in that regard. Nurse Korwin is meeting school nurses to audit immunization records. She will visit every school in Princeton, to survey immunization rates. Other risk groups Nurse Korwin will identify are seniors, the disabled, and those who may need assistance at home. With this knowledge, the most vulnerable people in our community can be properly notified, prepared, and assisted in times of crisis.

#### **IV. Minutes – January 20, 2015**

George DiFerdinando recommended approval of the January minutes. Joann Hill seconded his motion. All voted in favor of this action to accept the minutes as submitted.

#### **V. Monthly Reports**

##### **Health Officer's Report**

To supplement delivery of the monthly Health Department reports, Mr. Grosser gave an abbreviated summary of staff activities and health matters addressed:

The Health Department's budget has been increased. Expanded services will now be delivered by Nurse Korwin, by the health educator, for Hi-Tops support, and for a WIC physician. A child health conference and clinic space has also been approved.

Mr. Grosser was able to meet with the President of the UMCP. The hospital offers many screening services which are explained on the hospital website. The relationship with UMCP and the Health Department is ongoing and growing.

Mr. Grosser acknowledged that the Health Department's website needs work, when compared to UMCP. While situations can't always be disclosed in real time, Mr. Grosser reports that his staff tries to make sure the right resources are available online. His department will provide an alphabetical disease list on the site and has already posted a "FAQ" about measles.

Mr. Grosser delivered a presentation about "Keeping Princeton Healthy" to *The Old Guard of Princeton*, as the guest of Chairman Rojer.

No animals have tested positive for rabies, in response to recent calls for animal control.

A frozen water line at McCaffreys market resulted in store closure. Foods quality was compromised by this problem.

Recent reports suggest the outbreak involving a GI pathogen at Princeton University. Health officials are currently reviewing food histories to determine the source of this illness.

An event hosted by the Human Services Commission, Princeton Public Library, and the Health Department was held on Feb 3<sup>rd</sup>, to assist people with ACA enrollment questions and processes. Invitations for future Affordable Care Act enrollment events will be shared with Board members.

In response to George DiFerdinando's questions about water quality in the YMCA pool, Mr. Grosser shared news that additional screenings continue to return satisfactory results.

Mr. Grosser reported that reimbursement for ebola monitoring has not yet arrived, from the State of N.J.

## **VI. Old Business**

### **Preventing Tobacco Addiction**

George DiFerdinando distributed the draft of a proposed ordinance, to increase the cigarette sale age in Princeton to 21 (see attached). The progress of the research and revision of this ordinance was shared. Four communities in New Jersey have passed this legislation and many more communities are planning similar action. All five boroughs of NYC will be adopting this legislation. Carding and enforcement processes were discussed. Public Health Department will be responsible for enforcement and fines.

Karen Blumenthal, the Executive Director of *Global Advisor on Smoke Free Policy*, was introduced to the Board. She delivered a presentation on public leadership in anti-smoking policies.

Jeffrey Grosser and Dr. DiFerdinando will edit the ordinance further, and then share it with the town attorney. This draft will be prepared for a first reading in March.

### **Strategic Planning Update**

The review of the strategic plan is ongoing. An internal and external analysis of the data and Princeton's needs continues.

### **Hospital Demolition Update**

The demolition of the hospital is almost complete. Jackhammer use is necessary on the last section, because there is no other piece of equipment that can be used there. Mr. Grosser is working closely with site engineers on this final matter.

### **Fracking Ordinance Update**

During a question and answer period, Steven Miller reviewed some of the finer points of the Fracking Ban ordinance. Edits to this ordinance will continue, for a first reading in the March Board meeting.

## **VII. New Business**

### **Measles Response at Princeton University**

Mr. Grosser shared that another case of measles has been discovered, at Princeton University, and confirmed by CDC officials. A period of communicability occurred while the student was on campus. The list of any students at risk has been reviewed, and a close monitoring system has been activated. The affected student has recovered and is no longer communicable.

21-day quarantine periods will be imposed on any individuals determined to be vulnerable to exposure. While officials working with Mr. Grosser feel that this case may be a false positive, every precaution is being taken to reduce the possibility of an outbreak.

**Transportation vouchers**

The Princeton Health Department and Princeton Human Services Department are investigating the best locations to offer transportation vouchers, for those in need of transportation to UMCPH hospital.

**VII. Adjournment**

With no further business to discuss, Rick Weiss motioned to adjourn. George DiFerdinando seconded the motion, with all others present voting in favor. The meeting adjourned at 9:12 PM.

Respectfully submitted, V Bea Snowdon

Attachment: Tobacco 21 Ordinance

**PRINCETON BOARD OF HEALTH ORDINANCE 2015-01 BOH**

**PROHIBITION OF SALE OF TOBACCO AND NICOTINE DELIVERY PRODUCTS  
TO PERSONS UNDER 21**

**AN ORDINANCE PROHIBITING THE SALE OF TOBACCO AND NICOTINE  
DELIVERY PRODUCTS TO PERSONS UNDER THE AGE OF TWENTY-ONE (21)  
AND REPLACING BOARD OF HEALTH ORDINANCE 93-05**

**WHEREAS**, the Princeton Board of Health (“Board of Health”) was established pursuant to N.J.S.A. 26:3-1; and

**WHEREAS**, pursuant to N.J.S.A. 26:3-1, the Board of Health may make amend, repeal, and enforce such other ordinances, regulations, rules and by-laws not contrary to the laws of this state or of the United States, as it may deem necessary and proper for the good of government, order and protection of person and property, and for the preservation of the public health, safety and welfare of the municipality and its inhabitants, and as may be necessary to carry into effect the powers and duties conferred and imposed by this subtitle, or by any law; and

**WHEREAS**, as set forth in the findings of the Board of Health ordinances 93-05 (“An Ordinance of the Princeton Regional Health Commission, County of Mercer, State of New Jersey Amending “An Ordinance Prohibiting Sales of Tobacco to Minors, and Limiting Locations of Tobacco Vending Machines”) and 2013-01, the Board of Health previously recognized the dangers and health risks associated with teenagers and young persons who start smoking, as set forth in various studies conducted by the United States Department of Health, the American Cancer Society and surveys conducted by other entities; and

**WHEREAS**, the Board of Health has concluded that it is appropriate to prohibit the sale of tobacco and nicotine delivery products within Princeton to persons under the age of twenty-one (21); and

**WHEREAS**, to that end, the Board of Health wishes to amend and supplement Ordinance 93-05

**NOW, THEREFORE, BE IT ORDAINED** by the Princeton Board of Health, Mercer County, New Jersey, that Ordinance 93-05, entitled “An Ordinance of the Princeton Regional Health Commission, County of Mercer, State of New Jersey Amending “An Ordinance Prohibiting Sales of Tobacco to Minors, and Limiting Locations of Tobacco Vending Machines” is hereby replaced in its entirety with the following provisions:

**Section 1. Retail Sale of Tobacco Products**

A. No person shall sell tobacco or nicotine delivery products in Princeton unless an employee of the establishment controls the sale of such products. A person may only sell tobacco or nicotine delivery products in a direct, face-to-face exchange between the retailer and the consumer. Self-service displays and vending machines of tobacco or nicotine delivery products shall be prohibited.

B. No person shall sell, distribute, or give tobacco or nicotine delivery products to any

person under the age of 21 years or give tobacco or nicotine delivery products to any person under the age of 21.

C. Tobacco Retailers shall conspicuously post and reasonably maintain signs having a minimum size of six inches by eight inches where tobacco or nicotine delivery products are displayed and at all check-out counters notifying customers that proof of age is required to purchase tobacco or nicotine delivery products.

D. Any person selling tobacco or nicotine delivery products shall verify by means of government-issued photographic identification containing the bearer's date of birth that no person purchasing the tobacco or nicotine containing products is younger than 21 years of age. No such verification is required for any person over the age of 26. No clerk shall sell tobacco or nicotine delivery products to a person less than 21 years of age who has a note or any form of communication from any person, including an adult.

E. No person or tobacco retailer selling tobacco or nicotine delivery products shall allow an employee to sell or distribute such products until the employee has read the Princeton Board of Health Ordinances and State laws pertaining to the sale or distribution of tobacco and nicotine delivery products and has signed a statement that the employee has read such ordinances and State laws. Such form statement will be supplied by the Health Department and the signed original statement shall be filed with the Health Department and a copy shall be kept on file by the tobacco retailer and made available for review by the Health Department.

## **Section 2. Definitions**

HEALTH DEPARTMENT shall mean the Princeton Health Department.

HEALTH OFFICER shall mean the Princeton Health Officer and/or his or her authorized representative.

NICOTINE DELIVERY PRODUCT shall mean any product that is designed to deliver nicotine or vapor, including, but not limited to, what are commonly known as "e-cigarettes" or other types of electronic smoking devices, or any cartridge or other component of such device, or related products including but not limited to any substances used in such devices, such as liquids or powders or other forms of tobacco, but excluding United States Food and Drug Administration approved nicotine patches or nicotine chewing gum.

PERSON shall mean an individual, partnership, cooperative, association, corporation, personal representative, receiver, trustee, assignee, or any other legal entity.

TOBACCO shall mean any product made from the tobacco plant for the purpose of smoking, chewing, inhaling and other personal use including cigars, chewing tobacco, pipe tobacco, snuff, and cigarettes in any form.

TOBACCO RETAILER shall mean any person or entity that operates a store, stand, booth, concession, or place at which sales of tobacco or nicotine delivery products are made to purchasers for consumption or use. The term shall also mean any person or entity that owns, operates or uses a

tobacco vending machine and/or a tobacco vending machine location as defined herein.

TOBACCO VENDING MACHINE shall mean any automated, self-service device which, upon insertion of money, tokens, or other form of payment, dispenses nicotine delivery products, cigarettes, or other tobacco products.

TOBACCO VENDING MACHINE LOCATION shall mean the room, enclosure, space or area where a tobacco vending machine is installed and operated.

### **Section 3. Enforcement.**

A. The enforcement authority for this ordinance shall be the Princeton Health Officer or his/her designee.

B. The Health Officer may, after giving proper identification, inspect any matter, thing, premise, place, person, record, vehicle, incident, or event as necessary to execute his or her official duties in a manner prescribed by law.

C. It shall be unlawful for any person to molest, willfully oppose, verbally abuse or otherwise obstruct the Health Officer in his enforcement of this ordinance, and the Health Officer may request the assistance of the Princeton Police Department or other police agency or peace officer when necessary to execute his or her official duties in a manner prescribed by law.

D. Citizens may bring complaints against violators of this ordinance.

### **Section 4. Penalties**

A. A person who violates the provisions of this ordinance, including any employee of a retail dealer licensee under P.L. 1948, c.65 (C.54:40A-1 et seq.) who actually sells or otherwise provides tobacco product to a person under 21 years of age, shall be liable to a civil penalty of not less than \$250 for the first violation, not less than \$500 for the second violation, and not less than \$1,000 for the third and each subsequent violation. Complaint shall be made in the municipal court of Princeton or before such other judicial officer having authority under the laws of the State of New Jersey

B. Each sale of tobacco and or nicotine delivery product to any person under the age of 21 shall constitute a separate violation.

C. In addition to the penalties set forth in subsection 4.A above, the Princeton Board of Health may suspend the Retail Food Establishment License of any person convicted of violation of this ordinance, for a period of not more than 3 days, pursuant to the authority of the Board of Health to license and regulate food establishments as provided by N.J.S.A. 26:3-31(c).

### **Section 5. Repealer**

All ordinances or parts of ordinances contrary to or inconsistent with the provisions of this chapter are hereby repealed to the extent of such conflict or inconsistency.

## **Section 6. Invalidity**

If any section or provision of this Ordinance be adjudged invalid or unconstitutional, preempted by Federal or State law, or otherwise invalid by any court of competent jurisdiction, the same shall not affect the validity of the ordinance as a whole or any other section or provision hereof.

## **Section 7. Effective Date**

This Ordinance shall take effect 20 days following its passage and publication, or as otherwise provided by law.

First Reading (Introduction): March 26, 2015

First Publication: April 1, 2015

Second Reading (Adoption):

Second Publication:

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Charles L. Rojer, MD, Chair  
Princeton Board of Health

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Laura Kahn, MD, MPH, Vice-Chair  
Princeton Board of Health