

**REORGANIZATION AND
REGULAR MEETING
OF THE
OAKLAND BOARD OF HEALTH**

January 23, 2024 – Oakland Public Library 6:30 PM

MINUTES

REORGANIZATION MEETING

CALL TO ORDER:

Time: 6:30 PM

ROLL CALL:

All Yeas – Ms. Check, Mr. Provenzale, Mr. Talucci, Mr. Tiffinger

ABSENT MEMBERS

Mr. LaForgia was absent from the meeting due to being away. Councilman Pat Pignatelli was also absent due to a Mayor & Council meeting.

On motion of Ms. Check, seconded by Mr. Provenzale, Mr. LaForgia's absence was excused.

ROLL CALL:

All Yeas – Ms. Check, Mr. Provenzale, Mr. Talucci, Mr. Tiffinger

OTHERS PRESENT

BOH Attorney Sophy Sedarat and Principal REHS Kristin Caperino.

MEETING ANNOUNCEMENT

This meeting is being held in accordance with the regulations of the Public Meetings Law, notices of which were sent to The Record, Suburban Trends and any other persons requesting same.

PUBLIC COMMENT

No public present to open Public Comments.

NOMINATE & APPOINT PRESIDENT

Mr. Tiffinger called for nominations for Board of Health President for 2024.

On motion of Mr. Talucci, seconded by Mr. Provenzale, Mr. Tiffinger was nominated BOH President.

With no other nominations having been made, nominations were closed.

Mr. Tiffinger thanked the Board and accepted the nomination to serve as BOH President for 2024.

On motion of Mr. Talucci, seconded by Ms. Check, Mr. Tiffinger was appointed Board of Health President for 2024.

ROLL CALL:

All Yeas – Ms. Check, Mr. Provenzale, Mr. Talucci, Mr. Tiffinger

NOMINATE & APPOINT VICE-PRESIDENT

Mr. Tiffinger called for nominations for Board of Health Vice-President for 2024.

On motion of Mr. Tiffinger, seconded by Mr. Talucci, Mr. LaForgia was nominated BOH Vice-President for 2024.

With no other nominations having been made, nominations were closed.

On motion of Mr. Provenziale, seconded by Mr. Talucci, Mr. LaForgia is appointed BOH Vice-President for 2024.

ROLL CALL: *All Yeas – Ms. Check, Mr. Provenziale, Mr. Talucci, Mr. Tiffinger*

NOMINATE & APPOINT ATTORNEY

Mr. Tiffinger called for nominations for Board of Health Attorney for 2024.

On motion of Mr. Tiffinger, seconded by Mr. Talucci, Sophy Sedarat, Esq. was nominated for Board of Health Attorney for 2024.

With no other nominations having been made, nominations were closed.

On motion of Mr. Provenziale, seconded by Ms. Check, Ms. Sedarat was appointed Board of Health Attorney for 2024.

ROLL CALL: *All Yeas – Ms. Check, Mr. Provenziale, Mr. Talucci, Mr. Tiffinger*

Ms. Sedarat thanked the Board and accepted the appointment to serve as Board of Health Attorney for 2024.

PROFESSIONAL SERVICES CONTRACT

Mr. Tiffinger announced the terms of the 2024 Professional Services Contract for BOH Attorney remained the same as those for the 2023 contract.

Mr. Tiffinger called for a motion to approve the 2024 Professional Services Contract for BOH Attorney with Sophy Sedarat, Esq., and to authorize the BOH President to execute same.

On motion of Mr. Provenziale, seconded by Mr. Talucci, the 2024 Professional Services Contract with Sophy Sedarat, Esq. was approved, and Mr. Tiffinger was authorized to execute same.

ROLL CALL: *All Yeas – Ms. Check, Mr. Provenziale, Mr. Talucci, Mr. Tiffinger*

PROFESSIONAL SERVICES RESOLUTION, #1-24

The Board members reviewed Resolution #1-24:

WHEREAS, it is necessary for the Board of Health of the Borough of Oakland to engage in the services of the **Board of Health Attorney** for 2024; and

WHEREAS, funds will be available by way of budget to compensate said Board of Health Attorney; and

WHEREAS, N.J.S.A. 40:11-1 et sec, exempts professional services from certain requirements of public bidding provided a notice of the appointment be printed in a newspaper of general circulation within the municipality; and

WHEREAS, Board of Health President, Mr. Tiffinger has nominated Sophy Sedarat, Esq. to serve as the Board of Health Attorney for the year 2024; and

WHEREAS, the Board of Health of the Borough of Oakland will receive an Affirmative Action compliance statement from Sophy Sedarat, Esq. prior to entering into a contract; and

NOW, THEREFORE, BE IT RESOLVED by the Board of Health of the Borough of Oakland that said Board of Health Attorney be and is hereby appointed for the year 2024; and

BE IT FURTHER RESOLVED, that compensation for said Board of Health Attorney for the year 2024 shall be claimed, approved and paid in the manner set forth in N.J.S.A. 40a:5-18 and pursuant to agreement to be entered into between parties; and

BE IT FURTHER RESOLVED that the contract amount shall not exceed \$4,000.00 (\$2,925.00 retainer and \$1,075.00 other legal services) without further authorization of the Board of Health of the Borough of Oakland, and the Chief Financial Officer has certified sufficient funds are available in Account #3-01-27-330-028; and

BE IT FURTHER RESOLVED that the President of the Board of Health of the Borough of Oakland is hereby authorized to sign the agreement on behalf of the Board of Health of the Borough of Oakland; and

BE IT FURTHER RESOLVED, that the Secretary of the Board of Health of the Borough of Oakland shall cause a notice of adoption of this resolution to be printed in a qualified newspaper within ten (10) days after passage hereof.

Mr. Tiffinger called for a motion to adopt Resolution #1-24 for 2024 Professional Services BOH Attorney.

On motion of Ms. Check, seconded by Mr. Provenzale, Resolution #1-24 was adopted.

ROLL CALL: *All Yeas – Ms. Check, Mr. Provenzale, Mr. Talucci, Mr. Tiffinger*

DESIGNATE OFFICIAL NEWSPAPER

Mr. Tiffinger asked for a motion to designate the official newspaper.

On motion of Mr. Provenzale, seconded by Mr. Talucci, The Record was designated as the Official Publication to receive all Board of Health legal notices in 2024, providing, however, that in the event a deadline cannot be met by The Record, the Suburban Trends is designated to receive such notices as well as other public meeting notices.

ROLL CALL: *All Yeas – Ms. Check, Mr. Provenzale, Mr. Talucci, Mr. Tiffinger*

ADOPT BY-LAWS

Mr. Tiffinger asked if anyone wanted to make changes to the By-Laws. No changes were proposed.

On motion of Mr. Talucci, seconded by Mr. Provenzale, the By-Laws were adopted for the year 2024.

ROLL CALL: *All Yeas – Ms. Check, Mr. Provenzale, Mr. Talucci, Mr. Tiffinger*

OATHS OF OFFICE

Ms. Sedarat administered the oath of office to Mr. Tiffinger who also acknowledged receipt of the Board of Health Code of Ethics.

ADJOURNMENT

Mr. Tiffinger asked for a motion to adjourn:

On motion of Mr. Provenzale, seconded by Ms. Check, the Reorganization portion of the meeting was adjourned at 6:41P.M.

REGULAR MEETING

REGULAR BUSINESS

CALL TO ORDER

Time: 6:41 PM

ROLL CALL: *All Yeas – Ms. Check, Mr. Provenzale, Mr. Talucci, Mr. Tiffinger*

ABSENT MEMBERS

Mr. LaForgia was absent from the meeting due to being away.

On motion of Ms. Check, seconded by Mr. Provenzale, Mr. LaForgia's absence was excused.

ROLL CALL: *All Yeas – Ms. Check, Mr. Provenzale, Mr. Talucci, Mr. Tiffinger*

OTHERS PRESENT

BOH Attorney Sophy Sedarat, Esq. and Principal REHS Kristin Caperino

MEETING ANNOUNCEMENT

This meeting is being held in accordance with the regulations of the Public Meetings Law, notices of which were Sent to The Record, Suburban Trends and any other persons requesting same.

PUBLIC COMMENT

No public present to open Public Comments.

ADOPTION OF MINUTES

The Board reviewed the December 19, 2023, meeting minutes.

On motion of Ms. Check, seconded by Mr. Talucci, the December minutes are approved.

ROLL CALL: *All Yeas – Ms. Check, Mr. Provenzale, Mr. Talucci, Mr. Tiffinger*

REVIEW REPORTS

The Board reviewed the following reports:

- BCDHS Public Health Nursing Activity Report, CDRSS, Audits – December
- REHS' Monthly Report – December
- Tyco Animal Control Report – December
- Secretary/Registrar's Report – December

On motion of Mr. Talucci, seconded by Ms. Check, the reports are accepted.

ROLL CALL: *All Yeas – Ms. Check, Mr. Provenzale, Mr. Talucci, Mr. Tiffinger*

PAYMENT OF BILLS

The Board reviewed the following Bills:

Services Charged to 2023 Budget:

1/1/2024 – Tyco Animal Control	\$ 1,325.00
(Monthly Animal Control Services – December, per 2023 Contract)	
12/28/2023 – Borough of Waldwick	\$ 95.00
(Well Child Clinic 4 th QTR, per Interlocal Agreement for 2023)	
01/17/2024 – Bergen County Department of Health	\$ 19,398.34
(Septic and Well Services for 11/01/23-12/31/23, per 2023 Contract)	

On motion of Mr. Talucci, seconded by Mr. Provenzale, the bills were ratified and approved for payment.

ROLL CALL: All Yeas – Ms. Check, Mr. Provenzale, Mr. Talucci, Mr. Tiffinger

UNFINISHED BUSINESS

None.

NEW BUSINESS

2024 WALDWICK INTERLOCAL AGREEMENT

On motion of Ms. Check, seconded by Mr. Provenzale, the Board of Health approves contract and recommends execution of the 2024 Waldwick Interlocal Agreement by Mr. Tiffinger.

ROLL CALL: All Yeas – Ms. Check, Mr. Provenzale, Mr. Talucci, Mr. Tiffinger

Mr. Tiffinger requested the Board of Health obtain TYCO's 2023 Pet Census Report. Ms. Saunders will obtain the report from TYCO and distribute to the Board.

OTHER BUSINESS

A discussion ensued about the number of open expired septic maintenance contracts, which Ms. Caperino said is about 40 of only the Jet Treatment systems which were non-compliant as of January 1st. Summonses have gotten little response, so Ms. Caperino is working with their CHA and environmental divisions which can oversee the Clean Water Drinking Act, and this is helping. This is an issue in many towns.

Ms. Caperino raised possibly creating late fees in Oakland for establishments who don't license on time. She mentioned licensing is a problem in Oakland but not in other towns. Late fees run between \$50 - \$75.

The recall at Dollar Tree for the WanaBana products was brought up. Ms. Caperino explained they went out on a site inspection and the Oakland store does not carry this product.

A question arose about site inspections and whether they are standard inspections. Ms. Caperino explained that Risk 1s & 2s are pre-package and cook-to-serve establishments. Risk 3s are normal restaurants who are cooling, cooking, and reheating, and they get 2 inspections per year - Chapter 24 and a site inspection. Risk 4s involve specialized processes, for example, sushi.

Ms. Caperino was asked if Shared Services got involved with a lot of wells. She explained that they get involved only at realty transfer or if a home is rented, then the well needs to be tested every 5 years.

Mr. Talucci brought to the Board's attention that local liquor stores are selling products with 5 mg of Delta 9 THC in them. Products are clearly labeled but there is concern that a person may consume too much without realizing it. The content is below the threshold so there's nothing that can be done. Ms. Sedarat explained that you must be 21 years old to purchase.

Mr. Tiffinger raised a concern about a house on Hiawatha Boulevard that is discharging water through a pipe. Ms. Caperino explained there have been a lot of water issues in town lately. Most of the time the complaints start with the BOH, and nine times out of ten it's not for them. For Hiawatha, Ms. Caperino believes this situation would start with DPW and Code Enforcement. Ms. Caperino suggested to Mr. Tiffinger to call the Duty Officer line to have environmental go out at a time when you see it happening. When Mr. Tiffinger gets the address, this issue can be raised to Code Enforcement.

ADJOURNMENT

On motion of Mr. Talucci, seconded by Mr. Goodrich, the meeting was adjourned at **7:09 PM**.

ROLL CALL: *All Yeas – Ms. Check, Mr. Provenzale, Mr. Talucci, Mr. Tiffinger*

APPROVED:

Stephen C Tiffinger
Stephen C. Tiffinger, President

ATTEST: *Laura P. Saunders*
Laura P. Saunders, Secretary

DATE: 2/20/24