

# **REGULAR MEETING OF THE OAKLAND BOARD OF HEALTH**

**September 16, 2014 - 7:30 p.m.**

**Conference Room , Municipal Building, Municipal Plaza, Oakland, NJ**

## **REGULAR BUSINESS**

### **CALL TO ORDER**

Mr. Tiffinger called the meeting to order at 7:34 PM.

Roll Call: Ms. Blanco, Mr. Talucci, Mr. Tiffinger, Ms. West

### **ABSENT MEMBERS**

Dr. Danko, Mr. Ostapczuk and Ms. Wilgus were absent from the meeting.

Motion of Mr. Talucci, seconded by Ms. West, the absent members were excused from the meeting.

Roll Call: All Yeas - Ms. Blanco, Mr. Talucci, Mr. Tiffinger, Ms. West

### **OTHERS PRESENT**

Council Liaison Pasquale Pignatelli, Thomas J. Romans, Esq., R.E.H.S. Kristin Caperino

### **MEETING ANNOUNCEMENT**

Mr. Tiffinger announced that the meeting was 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.

### **ADOPTION OF MINUTES**

Mr. Ostapczuk entered the meeting.

The Board reviewed the June minutes.

On motion of Ms. West, seconded by Ms. Blanco, the minutes were approved.

Roll Call: All Yeas – Ms. Blanco, Mr. Ostapczuk, Mr. Talucci, Mr. Tiffinger, Ms. West,

### **REVIEW REPORTS**

The Board reviewed the following reports:

- Sanitarian's (REHS') Report – June, July & August
- Secretary's/Registrar's Report – June, July & August
- Tyco Animal Control Report – June, July & August
- BCDHS Public Health Nursing Activity Report – June, July & August
- Office of Health Promotion Activity Report

Inspector Caperino reported that she went to court in July for the summons issued to the resident on River Road who failed to remove the deer carcass from his back yard. When the case came up, the Judge informed Inspector Caperino that the case was dismissed. Inspector Caperino told the Judge that she has all the

## **Regular Meeting of the Oakland Board of Health – September 16, 2014 – Page 2**

information about the case to present to him and the Judge told her the case had been dismissed by the Prosecutor. Inspector Caperino informed the Board that the Prosecutor never discussed the case with her prior to dismissing it. Council Liaison Pignatelli said Inspector Caperino needs to be heard and Mr. Romans said it wasn't right. Mr. Pignatelli recommended that Inspector Caperino call the Prosecutor and advise him that the situation was discussed at a Board of Health meeting and the Board felt you should have been heard before the case was dismissed. Furthermore, in the future, you would appreciate the Prosecutor not dismissing a case until your side of the story has been heard. The Board agreed.

On motion of Ms. West, seconded by Mr. Ostapczuk, the reports were accepted.

Roll Call: All Yeas – Ms. Blanco, Mr. Ostapczuk, Mr. Talucci, Mr. Tiffinger, Ms. West

### **PAYMENT OF BILLS**

On motion of Ms. West, seconded by Mr. Ostapczuk, the Board ratified payment of the following bills made during summer recess:

7/1/2014 – Tyco Animal Control (Animal Control services for the month of June, per contract)	\$1,200.00
7/1/2014 – Tyco Animal Control (Animal Control Emergency Calls (4) for the month of June)	\$ 240.00
8/1/2014 – Tyco Animal Control (Animal Control services for the month of July, per contract)	\$1,200.00
8/1/2014 – Tyco Animal Control (Animal Control Emergency Calls (2) for the month of July)	\$ 180.00
9/1/2014 – Tyco Animal Control (Animal Control services for the month of August, per contract)	\$1,200.00
9/1/2014 – Tyco Animal Control (Animal Control Emergency Calls (2) for the month of August)	\$ 180.00
7/1/2014 – Pet Rest in Peace Memorial Center & Crematory (Cremate deer)	\$ 168.75
7/17/2014 – Thomas J. Romans, Esq. (July retainer, per contract)	\$ 212.50
8/15/2014 – Thomas J. Romans, Esq. (August retainer, per contract)	\$ 212.50
8/13/2014 – MGL Printing Solutions (Marriage License Envelopes and Death Cert. Binders)	\$ 152.00

Roll Call: All Yeas - Ms. Blanco, Mr. Ostapczuk, Mr. Talucci, Mr. Tiffinger, Ms. West

The Board reviewed the following new bill:

## **Regular Meeting of the Oakland Board of Health – September 16, 2014 – Page 3**

9/1/2014 – Pet Rest in Peace Memorial Center & Crematory  
(Cremate two deer)

\$ 225.00

On motion of Ms. West, seconded by Ms. Blanco, the Board approved the bill for payment.

Roll Call: All Yeas –Ms. Blanco, Mr. Ostapczuk, Mr. Talucci, Mr. Tiffinger, Ms. West

### **RATIFICATION OF DECISION MADE DURING PERIOD OF SUMMER ADJOURNMENT:**

#### **35 Glen Gray Road – Block 901, Lot 10.01 – New Septic Plan**

On motion of Mr. Ostapczuk, seconded by Mr. Talucci, the Board ratified the decision to approve the septic plan for 35 Glen Gray Road.

Roll Call: Ms. Blanco, Mr. Ostapczuk, Mr. Talucci, Mr. Tiffinger, Ms. West

## **UNFINISHED BUSINESS**

### **DAVID ZUIDEMA, INC. – A & A SEPTIC SERVICE**

David Zuidema, Inc. is licensed to install and repair septic systems yet, an employee, Alex Narrea, has formed a septic inspection business that he operates on Zuidema's time in Zuidema's truck and wearing a Zuidema hat. Under this arrangement, A & A Septic Service can fail a septic system and Zuidema, Inc. can do the repairs. In Mr. Romans' opinion, Zuidema is trying to circumvent the conflict of interest law. Mr. Romans sent Mr. Zuidema a letter advising him of such.

It was reported that Mr. Narrea had been in the office that afternoon looking at a file. Inspector McGrath noticed Mr. Narrea was driving a truck with no markings on it. He was also not wearing any clothing bearing the Zuidema name.

The Board asked Ms. Dubowick to track the failed inspection reports received from A & A Septic Service and find out if the inspector either provided the homeowner with a list companies that could do the repair or steered the homeowner in any direction. Since Mr. Zuidema has been to court for failing to permit all of the septic pumpings he's done in town, it's unknown if he has obtained for all of the repairs done by his company. Currently, the Board is awaiting a response to Mr. Roman's letter and Ms. Dubowick will track the failed inspections, as directed.

## **NEW BUSINESS**

### **MEETING OPENED TO THE PUBLIC**

On motion of Mr. Ostapczuk, seconded by Ms. Blanco, the meeting was opened to the public.

Roll Call: All Yeas: Ms. Blanco, Mr. Ostapczuk, Mr. Talucci, Mr. Tiffinger, Ms. West

### **WILKE'S DELI**

The owner of this establishment was summoned to appear before the Board for having received two Conditionally Satisfactory ratings in a 12-month period. Mr. Tiffinger said this is unacceptable to the Board and, according to Inspector Caperino, it's because of a lack of space. Mr. Jesus Almazan, 58 Laura Avenue, Wanaque, NJ, introduced himself to the Board. Mr. Almazan said it's a very small deli and when they get

## **Regular Meeting of the Oakland Board of Health – September 16, 2014 – Page 4**

deliveries it's a problem. Inspector Caperino said they were making too much chicken at one time and it was being left out because they don't have enough refrigerator space, so the food was being stored improperly. They are now making less food. Mr. Tiffinger said the inspector is going to be watching this, will show up at any time and, if this violation is found again, a summons will be issued. Mr. Romans said, the establishment's health license could be in jeopardy.

### **OAKLAND DINER**

The owner of this establishment was summoned to appear for having receiving three Conditionally Satisfactory ratings in a 12-month period. Mr. Harry Mihas, 1250 Ringwood Avenue, Haskell, NJ, introduced himself to the Board. Inspector Caperino reported that the violations were different from those cited previously. Food was being cooled improperly, the chef and servers were handling food with bare hands and gloves were being used improperly. The chef is a certified Food Manager. There were storage issues in one of the refrigerators and the dishwasher was overflowing. Mr. Mihas said the inspection could not have happened at a worse time. The drain for the dishwasher was clogged up which happens about once a year. Mr. Tiffinger said inspections can occur at any time and told Mr. Mihas that he has to stay on top of his staff. Mr. Tiffinger said he's going to get summonses the next time. Inspector Caperino said she arrived through the back door unexpectedly when doing the reinspection and everything was found satisfactory. Ms. West noted that there could be implications for license renewal. Mr. Mihas said he needs to be watching his staff better and apologized.

### **OAKLAND CHINESE CUISINE**

Mr. Xiang Cao, the owner of this establishment, was summoned to appear before the Board due to receiving three Conditionally Satisfactory ratings in a 12-month period. Inspector Caperino said the violations were different during this inspection and that it appeared an employee had left because the owner is back. The establishment was cited for not sanitizing properly. When Inspector Caperino asked Mr. Cao to show her how he sets up the three-compartment sink he had no idea how to do so, despite the fact that he was a certified Food Manager. They didn't have any bleach on the premises. The wife left to purchase bleach during the inspection. Inspector Caperino went over the rinse, wash and sanitize steps with the owner and, upon reinspection, found the establishment satisfactory. Mr. Talucci spoke about how the concentrations of bleach have changed and that containers can contain different concentrations. They must be checked when measuring for sanitizing solutions. Inspector Caperino said establishments have test strips to test the concentration of the sanitizing solution which should be checked every two hours for proper levels of bleach.

Mr. Cao, the owner of the establishment, failed to appear. The Board directed Ms. Dubowick to send Mr. Cao a letter notifying him that the renewal of his health license is in jeopardy.

## **MEETING CLOSED TO THE PUBLIC**

On motion of Mr. Ostapczuk, seconded by Ms. West, the meeting was closed to the public.

Roll Call: All Yeas – Ms. Blanco, Mr. Ostapcauk, Mr. Talucci, Mr. Tiffinger, Ms. West

## **ANY OTHER BUSINESS**

### **SHAPE UP OAKLAND**

ShopRite Dietitian Nicole Hallissey was scheduled to speak to the Board to provide an update on the Shape Up Oakland but had called that afternoon to advise she would be unable to attend the meeting due to a school

conflict. Ms. Dubowick reported that Jackie Tiffinger is helping with the project and Ms. Hallissey has done a tremendous amount of work. Cards announcing event were mailed to all Oakland postal patrons, the postage for which was paid for by Valley Hospital. The kick-off is scheduled for Saturday, September 27<sup>th</sup>.

#### **IHHS SNACK STAND**

It was reported that the snack stand was licensed in June and since hamburgers and hot dogs are being served, one parent has been certified in food handling. Additional parents will be certified. Inspector Caperino is trying to schedule an evening Food Handler's Course at the school for the other parents who the stand, but has yet to get approval from the County. Inspector Caperino said parents are unwilling to take time off from work to take the class during the day and she is willing to flex her time in order to offer an evening class. A minimum of 12 people are required to conduct the class and there may be other food handlers from town willing to take the course if the minimum can't be met. The Board decided a letter should be sent to Dr. Mangieri requesting approval to offer the class in the evening.

#### **BERGEN COUNTY REHS SERVICE**

Mr. Tiffinger reported a meeting took place during the summer with himself, the Borough Administrator, Ms. Dubowick, Dr. Mangieri and REHS Supervisor Steve Peters to discuss the problem with inspections not being done and the shortage of REHS hours provided. Mr. Tiffinger said the way he heard it, the number of REHS hours for which Oakland contracts is irrelevant. The County wants to provide the service that will ensure Oakland meets the state standard and nothing more. Oakland will not pay for hours the County is unable to provide. Mr. Tiffinger said Oakland has always wanted more than that but may not be able to get it any longer.

Mr. Kunze suggested researching other service providers. Ms. Dubowick spoke with Health Officer Peter Coreale in Pequannock. Pequannock offers a turn-key operation, providing nursing services, REHS service, Blood-borne Pathogens Training and H.O. coverage for \$150,000, but Oakland would no longer control what is going on. No inspectors would be assigned to Oakland and no set schedule of when they'd be in town would be provided. Inspectors would not witness test holes or inspect the installation of the systems; this would be done by the design engineer. Septic files would be taken off site. Mr. Tiffinger said Pequannock use a different business model and felt it would not be a good idea for Oakland to contract with Pequannock. Other solutions will be researched.

Mr. Pignatelli suggested contacting Northwest Bergen. Mr. Tiffinger said it was from Northwest Bergen that he hired Inspector McGrath. Upper Saddle River just left Northwest Bergen to contract with the County. Mr. Tiffinger said another option is to form a health commission with the FLOW district towns. Franklin Lakes currently contracts with Bergen County and Wyckoff contracts with Northwest Bergen. Mr. Tiffinger said he does not see the situation at the County getting any better. The business model the County is using for providing service will be changing. Inspector McGrath will be retiring in another year and when that happens, the County will have only one experienced septic inspector on staff. The other septic inspector is relatively new to the field. Furthermore, the County will no longer assign inspectors to a particular town, moving forward. Ms. Dubowick said a lead inspector needs to be assigned to the town to ensure coordination of activity and to take responsibility to ensure work is done; otherwise, things will slip through the cracks. Multiple inspectors are currently working in Oakland and Ms. Dubowick reported having already observed this problem occurring. Research on alternatives will continue.

#### **INFORMATION ON NUISANCE CATS FOR POSTING ON WEBSITE**

Ms. Dubowick reported that, during the summer, she came across tips on the internet about how to deal with nuisance cats and put the information together for the Board's approval to post on the website. The Board reviewed and approved the information.

**ADJOURNMENT**

On motion of Mr. Ostapczuk, seconded by Ms. Blanco, the meeting was adjourned at 8:50 PM.

Roll Call: All Yeas – Ms. Blanco, Mr. Ostapczuk, Mr. Talucci, Mr. Tiffinger, Ms. West

**APPROVED:**

\_\_\_\_\_  
Stephen C. Tiffinger, President

**ATTEST:** \_\_\_\_\_  
Karin Kennedy Dubowick, Secretary

**DATE:** \_\_\_\_\_