

**REGULAR MEETING**  
**of the**  
**OAKLAND BOARD OF HEALTH**  
**September 20, 2022**  
**Oakland Public Library, Oakland, NJ**

**REGULAR BUSINESS**

**CALL TO ORDER**

Mr. Tiffinger called the meeting to order at 6:34 PM.

**ROLL CALL**

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

**ABSENT MEMBERS**

All members present.

**OTHERS PRESENT**

Council Liaison Pasquale Pignatelli, BOH Attorney Sophy Sedarat, and Chief REHS Laura Folco

**MEETING ANNOUNCEMENT**

Mr. Tiffinger announced that the meeting was being held in accordance with the Open Public Meetings Law, duly announced, advertised and posted in the municipal building.

**PUBLIC COMMENT**

No members of the public were present for comment.

**ADOPTION OF MINUTES**

The Board reviewed the June 2022 meeting minutes.

On motion of Mr. Provenzale, seconded by Mr. LaForgia, the June minutes were approved.

**Roll Call:** Yeas – Ms. Ashkenazi, Mr. Ashkenazi, Ms. Check, Mr. LaForgia, Mr. Talucci, Mr. Tiffinger  
Abstain – Mr. Provenzale

**REVIEW REPORTS**

The Board reviewed the following reports:

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

On motion of Mr. Talucci seconded by Mr. LaForgia, the reports were accepted.

**Roll Call:** All Yeas – Ms. Ashkenazi, Mr. Ashkenazi, Ms. Check, Mr. LaForgia, Mr. Provenzale, Mr. Talucci, Mr. Tiffinger

**PAYMENT OF BILLS**

The Board reviewed the following bills:

**Bills requiring ratification (paid during the period of summer adjournment):**

|  |                     |
|--|---------------------|
| <b>6/16/2022 – Bergen County Department of Health</b><br>(Septic and well services for 1/1/2022 – 5/31/2022)               | <b>\$ 44,107.69</b> |
| <b>6/27/2022 – Sophy Sedarat, Esq</b><br>(2 <sup>nd</sup> Qtr BOH Legal Services, per 2022 Professional Services Contract) | <b>\$ 731.25</b>    |
| <b>07/01/2022 – Tyco Animal Control</b><br>(Animal control services June 2022, per contract)                               | <b>\$ 1,325.00</b>  |
| <b>07/01/2022 – Tyco Animal Control</b><br>(Animal Control Emergency responses in June 2022)                               | <b>\$ 240.00</b>    |
| <b>08/01/2022 – Tyco Animal Control</b><br>(Animal Control Services for July 2022, per contract)                           | <b>\$ 1,325.00</b>  |
| <b>08/01/2022 – Tyco Animal Control</b><br>(Animal Control Emergency responses in July 2022)                               | <b>\$ 240.00</b>    |

**Unpaid bills:**

|   |                    |
|---|--------------------|
| <b>09/01/2022– Tyco Animal Control</b><br>(Animal Control Services for August 2022, per contract)                           | <b>\$ 1,325.00</b> |
| <b>09/01/2022 – Tyco Animal Control</b><br>(Animal Control Emergency Responses in August 2022)                              | <b>\$ 120.00</b>   |
| <b>09/20/2022 – Sophy Sedarat, Esq</b><br>(3 <sup>rd</sup> Qtr BOH Legal Services, per 2022 Professional Services Contract) | <b>\$ 731.25</b>   |

On motion of Mr. LaForgia, seconded by Mr. Provenziale, the Board ratified and approved the bills.

**Roll Call:** All Yeas – Ms. Ashkenazi, Mr. Ashkenazi, Ms. Check, Mr. LaForgia, Mr. Provenziale, Mr. Talucci, Mr. Tiffinger

**UNFINISHED BUSINESS**

None.

**NEW BUSINESS**

Council Liaison Pignatelli introduced the new Board of Health member, Joan Check. It was discussed that Joan is a nurse, an EMT, and she also has a lot of experience with animals. Everyone welcomed Joan to the Board.

**OTHER BUSINESS**

The secretary announced that The Free Senior Flu Shot Clinic will be held on October 13<sup>th</sup> in the Oakland Senior Center Art Room from 1:00 pm to 3:00 pm, and that the bivalent Covid-19 vaccine will be made available there as well for those with appointments.

A discussion also ensued about animals being brought into establishments. Mr. Provenziale asked what the regulations are regarding bringing animals into food establishments. Ms. Folco said that as far as the food code is concerned, service animals are permitted; however, if the Health Inspector is not there to enforce it, it would be up to the manager of the establishment to address the issue with

the patron who brought the animal into the establishment. She added that the manager could post the policy only allowing service animals, as well.

Ms. Sedarat added that there are three types of assistance animals. The first type is a service animal - the owner must have a disability as defined by the American's with Disabilities Act. The owner does not have to disclose what their disability is. Any establishment which services the public must allow service animals to accompany people with disabilities in all areas of the facility where the public is allowed to go. The second type is an emotional support animal, their access to public areas is much more limited – they can be brought on airplanes and must be permitted in housing situations under the Fair Housing Act, such as apartments that have a “no pets” policy. Emotional support animals do not have the same access to public places that service animals do. The third category is therapy animals, which are animals trained to comfort people in settings such as hospitals, nursing homes and such. They are invitees specifically invited to a facility and they do not have the same access rights to public places that service animals do, and are not permitted on planes or in housing situations covered by the FHA like emotional support animals are.

Mr. LaForgia, on behalf of the Shade Tree Commission, asked if the Health Department could assist in assuring that people who are obtaining septic repair and alteration permits also obtain Shade Tree Permits. Ms. Steele explained that they are directed to get a permit from the Shade Tree Commission at the DPW Building on the Health Department's septic permit applications.

Ms. Ashkenazi brought up the possibility of requiring homeowners to submit proof of having had their septic inspected, and inquired what the town rule is for that. There is no rule, however, Council Liaison Pignatelli responded that if sewers are approved then the town will submit a septic maintenance program to the DEP, likely in 3-5 years or so. Ms. Ashkenazi then asked if it is possible to require the residents around or near Crystal Lake and Mirror Lake to have regular septic inspections. Ms. Sedarat said that it may be a possibility to do that through the Mayor and Council, however the Board of Health does not have the ability to create an ordinance and enforce that. Council Liaison Pignatelli added that there would need to be some kind of proof that the septic systems were adversely affecting the lake(s), such as fecal coli tests showing elevated levels, before considering an ordinance. Ms. Sedarat added that an environmental engineer would likely be needed to draw a correlation between the bacteria and the septic before presenting it to the Mayor and Council for an ordinance. Ms. Folco added that if tests came back elevated, then dye testing would be covered by the septic code because it would cover any reason that the septic was failing, so there would not need to be an ordinance to test the septic in that case.

## **ADJOURNMENT**

On motion of Mr. Provenzale, seconded by Mr. Talucci, the meeting was adjourned at 7:25 PM

**Roll Call:** All Yeas – Ms. Ashkenazi, Mr. Ashkenazi, Ms. Check, Mr. LaForgia, Mr. Provenzale, Mr. Talucci, Mr. Tiffinger

APPROVED:

  
Stephen C. Tiffinger, President

ATTEST:

  
Sandra Steele, Secretary

DATE:

10/18/2022