

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

**April 12, 2010 - 7:30 p.m.**

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

## **CALL TO ORDER**

Mr. Beattie called the meeting to order at 7:36 PM.

## **ROLL CALL**

Mr. Beattie, Mr. Ostapczuk, Mr. Talucci, Mr. Tiffinger, Ms. West

## **OTHERS PRESENT**

Council Liaison Pasquale Pignatelli, Senior Sanitary Inspector (REHS) Deborah A. McGrath, and Thomas J. Romans, Esq.

## **MEETING ANNOUNCEMENT**

Mr. Beattie 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.

## **REGULAR BUSINESS**

### **ADOPTION OF MINUTES**

The Board reviewed the minutes of March 8th. On motion of Mr. Ostapczuk, seconded by Dr. Davis, the minutes were approved.

ROLL CALL: All Yeas – Mr. Beattie, Mr. Ostapczuk, Mr. Talucci, Mr. Tiffinger. Ms. West abstained.

### **REVIEW REPORTS**

- Sanitarian's (REHS') Monthly Report – March 2010
- Secretary's Registrar's Monthly Report – March 2010
- Tyco Animal Control Report – March 2010
- Bergen County Dept. of Health Services Nursing Report – 2<sup>nd</sup> Half 2009

Concern was again expressed about the number of emergency calls (five) made by Tyco Animal Control in March, at a cost of \$60 each. The Board reviewed and discussed a draft memo to Police Chief Kasper requesting that, during emergency hours, an officer verify the presence of a sick animal or emergency situation prior to contacting the Animal Control Officer (ACO) and have the complainant or officer keep track of the location of the animal so the ACO does not make a costly wasted trip. The ACO will respond within 30 minutes. The Board directed Ms. Dubowick to send the memo to Chief Kasper.

Inspector McGrath reported that two new restaurants will be opening in town, a Subway in the Copper Tree Mall and a sushi restaurant in the strip mall at 400 Ramapo Valley Road. A question was raised about where in the mall the sushi restaurant will be located and whether the septic system can handle an additional restaurant. Inspector McGrath reported that Gerald Gardner, P.E. had inspected the system and certified

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that it can handle the additional flow. Inspector McGrath also received a letter from the owner of the mall agreeing to replace the entire system if it fails. Inspector McGrath will verify the location of the proposed establishment and report her findings at next month's meeting.

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

ROLL CALL: All Yeas - Mr. Beattie, Mr. Ostapczuk, Mr. Talucci, Mr. Tiffinger, Ms. West

**PAYMENT OF BILLS**

The Board reviewed the following bills.

|   |            |
|---|------------|
| 02/06/10 – North Jersey Media Group – The Record<br>(Publish BOH Attorney Resolution - #1-10)     | \$ 93.04   |
| 03/31/10 – Tyco Animal Control<br>(March Animal Control Services and 5 emergency calls)           | \$1,450.00 |
| 04/12/2010 – Thomas J. Romans, Esq.<br>(For services provided under retainer – April BOH meeting) | \$ 208.00  |

On motion of Ms. West, seconded by Mr. Ostapczuk, the bills were approved for payment.

ROLL CALL: All Yeas – Mr. Beattie, Mr. Ostapczuk, Mr. Talucci, Mr. Tiffinger, Ms. West

**UNFINISHED BUSINESS**

**HANSEL ASMAR'S LETTER OF MARCH 10, 2010**

The Board reviewed Mr. Asmar's response to Mr. Beattie's letter of March 9<sup>th</sup> concerning illness outbreak protocol. The letter stated that, "As noted in the contract between the Borough of Oakland and the Bergen County Department of Health Services (BCDHS), "If a municipality or local Board of Health contracts with a nursing agency, contracted vendor or employs a municipal nurse, it is the responsibility of the local Board of Health to ensure that the vendor or employee provide all public health nursing services as articulated in N.J.A.C. 8:52..." Mr. Tiffinger disagreed and stated that the health officer is responsible. Thus, the Board held firm in its stance that the County, as Oakland's health officer, should be communicating directly with Oakland's direct nursing service provider, the Valley Hospital.

**MANDATORY 4% REDUCTION IN 2010 OPERATING EXPENSES BUDGET**

The Board reviewed the budget cuts that had been proposed to Administrator Kunze. Ms. West asked for clarification on services and purchases funded by several line items in the budget which Ms. Dubowick provided.

**INTRODUCTION OF VITAL STATISTICS FEE AMENDMENT ORDINANCE #10-CODE-83**

Mr. Beattie reported that he had spoken with the local funeral director who agreed to resume ordering certified copies through Oakland if Oakland's fees are brought more in line with what the State charges. The Board reviewed and approved a proposed ordinance amending the fees from \$15.00 per copy to \$25.00 for the first copy and \$5.00 for each additional copy of the same record.

Mr. Beattie asked the Secretary to take Ordinance #83-CODE-10 from the table and read same for first reading:

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“AN ORDINANCE TO AMEND CHAPTER BH:XII OF THE BOROUGH OF OAKLAND BOARD OF HEALTH CODE “AN ORDINANCE TO ESTABLISH FEES FOR THE ISSUANCE OF RECORDS OF VITAL STATISTICS BY THE REGISTRAR OF THE OAKLAND BOARD OF HEALTH.”

Motion of Mr. Tiffinger, seconded by Ms. West, the following resolution was adopted:

BE IT RESOLVED THAT AN ORDINANCE ENTITLED “AN ORDINANCE TO AMEND CHAPTER BH:XII OF THE BOROUGH OF OAKLAND BOARD OF HEALTH CODE “AN ORDINANCE TO ESTABLISH FEES FOR THE ISSUANCE OF RECORDS OF VITAL STATISTICS BY THE REGISTRAR OF THE OAKLAND BOARD OF HEALTH” be introduced and pass first reading, and that the Board of Health does hereby fix the date of May 10, 2010 at 8:00 PM prevailing time at the Municipal Building, Municipal Plaza, as the time and place for the hearing of all persons interested therein, and

BE IT FURTHER RESOLVED that the Secretary of the Board of Health give notice of the time and place where said hearing will be given thereon.

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

### **NEW BUSINESS**

#### **ANIMAL CONTROL COMPLAINT**

Inspector McGrath reported on an anonymous complaint the department had received about a resident in town that is housing seven dogs, a violation of Borough Code that limits the number of dogs to four per property. Three letters had been received in recent weeks from the same complainant. Inspector McGrath reported that she informed the dog owners that three of dogs must be removed from the premises. Having nowhere to place the dogs, the owners decided to move. The dog owners spoke with Council Liaison Pignatelli about their extenuating circumstances and requested a 90-day extension on the notice to abate the violation in order to give them time to sell the house. Council Liaison Pignatelli discussed this with Inspector McGrath. It was agreed that an extension until June 25<sup>th</sup> would be granted with two stipulations, i.e., if the house is not sold by June 25<sup>th</sup>, the dogs would have to be immediately removed from the premises, and the dog owners and their surrounding neighbors must each sign a letter agreeing to the arrangement. Inspector McGrath reported that she has signed letters of agreement from all parties involved. Beattie expressed concern about the precedent this might set and felt a summons should have been issued. Council Liaison Pignatelli felt that the circumstances were extenuating and that each case must be considered on its own.

#### **BRAIN CANCER**

A resident in town called to express concern about what he felt was a high number of cases of childhood brain cancer in the community. In response, the State Epidemiologist was contacted and an investigation is being conducted. The statistics in the cancer registry for Oakland thus far indicate no spike in any type of cancer. The Epidemiologist explained that cancer clusters are extremely rare, and, in most cases, what appears to be a cancer cluster is just an anomaly. It is common for other types of cancer to metastasize to the brain, and in these cases, brain cancer is considered a secondary cancer which is not entered into the cancer registry. Furthermore, brain cancer is the most common cancer diagnosed in children.

Mr. Beattie reported that had spoken with School Superintendent Dr. Heflich to ask if he would encourage parents of children diagnosed with brain cancer to call the Health Department so they could be put in contact with the Epidemiologist. Ms. Dubowick reported that, to date, no calls had been received. Mr. Ostapczuk said he knows of quite a few people in town who have or have had brain cancer and volunteered to contact and encourage them to call the State. A report on the State’s findings should be forthcoming in several weeks.

**ANY OTHER BUSINESS**

The Board reviewed a letter that had been received from a Grove Street resident thanking and commending Tyco Animal Control and the Health Department for resolving a long standing feral cat problem. The Board acknowledged the fine job Tyco and Inspector McGrath had done. It was noted that rabid feral cats had been found in the Grove Street area in recent years.

Also discussed was an e-mail from the Bergen County Department of Health Services responding to Mr. Beattie's inquiry about when H1N1 funds will be disbursed to Oakland. It was reported that the County is also waiting to receive the funds which will be disbursed upon receipt. Council Liaison Pignatelli reported that Lincoln Park had received a schedule outlining when the funds would be disbursed and had already received payments. Council Liaison Pignatelli will contact the County to discuss the matter and will report back at next month's meeting.

**ADJOURNMENT**

On motion of Dr. Davis, seconded by Mr. Tiffinger, the meeting was adjourned at 9:07 PM.

Roll Call: All Yeas – Mr. Beattie, Dr. Davis, Mr. Ostapczuk, Mr. Talucci, Mr. Tiffinger, Ms. Wilgus

APPROVED:

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Ronald J. Beattie, President

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

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