

REGULAR MEETING OF THE OAKLAND BOARD OF HEALTH
February 8, 2010 - 7:30 p.m.
Conference Room - Municipal Building, Municipal Plaza, Oakland, NJ

REGULAR MEETING

CALL TO ORDER

Dr. Davis called the meeting to order at 7:29 PM.

ROLL CALL

Mr. Beattie, Dr. Davis, Mr. Ostapczuk, Mr. Talucci, Mr. Tiffinger, Ms. Wilgus

OTHERS PRESENT

Council Liaison Pasquale Pignatelli, Sanitary Inspector and R.E.H.S. Robert Jernick, and Thomas J. Romans, Esq.

MEETING ANNOUNCEMENT

Dr. Davis 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.

OATHS OF OFFICE

Dr. Davis thanked Messrs. Beattie & Talucci for their past service and future service on the Board. Mr. Romans administered the oaths of office. Dr. Davis stepped down and turned the meeting over to Mr. Beattie.

Ms. Carol Tyler, owner of Tyco Animal Services, entered the meeting at 7:37 PM.

REGULAR BUSINESS

ADOPTION OF MINUTES

The minutes of January 11, 2010 were reviewed. On motion of Mr. Talucci, seconded by Mr. Ostapczuk, the minutes were approved.

ROLL CALL: All Yeas – Mr. Beattie, Dr. Davis, Mr. Ostapczuk, Mr. Talucci, Mr. Tiffinger, Ms. Wilgus

REVIEW AND ACCEPTANCE OF REPORTS

- Sanitarian's (REHS') Monthly Report – January 2010
- Secretary's Registrar's Monthly Report – January 2010
- Bergen County Dept. of Health Services Animal Control Report – December 2009
- Tyco Animal Control Report – January 2010
- Communicable Disease Report – Year End 2009
- Valley Hospital Adult Health Clinic Report – Year End 2009
- West Bergen Mental Health Report – 2009

Mr. Tiffinger commented on the gas odor complaint at Heights School reported in the Sanitarian's Report. Inspector McGrath and the Fire Department responded. The source of the odor was a malfunctioning boiler which was repaired. Mr. Tiffinger noted that the County's Industrial Hygienist, Melissa, should have been

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called to respond since these services are included in the County contract. Ms. Dubowick said she would pass this information along to Inspector McGrath for future reference.

Mr. Beattie reported that he had spoken with the local funeral director about a problem with submission of death certificates and issuance of certified copies.

Mr. Beattie asked Carol Tyler to introduce herself. Ms. Tyler is the owner of Tyco Animal Control Services and attended the meeting in order to explain the benefits of the services Tyco is providing Oakland, under contract, and to advise the Board of the activity that took place during the month of January.

Ms. Tyler reported that most activity, thus far, has involved tracking and trapping feral cat colonies and identifying the individuals who are putting out food. Ms. Tyler also reported on a resident who is putting feeding cats and wildlife and spoke of measures that will be taken to address this problem. Dogs are being let loose each weekday on all of the Borough fields to chase geese. Addling of eggs was also discussed.

Ms. Tyler said she received five emergency calls during January, four of which were legitimate emergencies, i.e., two injured deer in the road, a sick skunk and a sick raccoon. All were put to sleep. Response to the fifth emergency call was deferred until the next morning. Ms. Tyler indicated that she always advises police dispatch that an after-hours emergency response will cost the town \$60 and will assess with dispatcher whether or not the situation warrants an immediate response. Mr. Beattie mentioned that the reason the Borough switched to Tyco was due to the cost savings over the previous animal control services provider and expressed concern about the number of emergency calls in January. Ms. Tyler said it is not uncommon for these calls to be higher during the first year she provides services as problematic situations need to be brought under control. The number of emergency calls usually drops off considerably in subsequent years.

Ms. Tyler recommended that the Borough adopt an ordinance to help recover the emergency call charges whenever the call is initiated as a result of a dog running at large. The ordinance would assess the dog owner a \$60 fee which is paid at the time the dog is claimed. This transfers the cost of the emergency call from the Borough to the party responsible for the call. If such an ordinance is adopted, the Borough would collect the funds prior to receiving Tyco's bill for the call. Ms. Dubowick indicated that Administrator Kunze requested the Board's recommendation on adopting such an ordinance. Mr. Pignatelli suggested the Board use a graduated fee rather than \$60 for each offense.

Ms. Tyler spoke about animal rescue services she offers in the event of a flood or other emergency and said she works closely with OEM's. Mr. Beattie informed Ms. Tyler that she would need to contact Roy Bauberger, Oakland's OEM Coordinator, to address this matter and suggested she contact Ms. Dubowick to obtain Mr. Bauberger's phone number.

Ms. Dubowick reported that a coworker observed wild turkeys being fed in the driveway of a home located in the vicinity of the Elks Lodge but on the opposite side of the street. It was uncertain whether the house is located in Oakland or Wayne, and the exact address is being obtained. Ms. Tyler said she would drive by the area to investigate since feeding wild turkey is illegal.

Mr. Beattie thanked Ms. Tyler for coming at which time Ms. Tyler left the meeting.

At the request of the Environmental Commission, which is attempting to address the problem of deer overpopulation in Oakland, Mr. Ostapczuk asked if the Board would be willing to recommend culling due to the serious health ramifications associated with Lyme disease. Lyme is carried by deer ticks and spread by deer. Messrs. Beattie and Tiffinger noted that Lyme disease is a problem in Oakland and referred to the

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significant increase in Lyme cases reported in 2009. Mr. Beattie stated that it is illegal to discharge a firearm, including a bow and arrow, anywhere in Oakland with the exception of a very small portion of town on the west side of the Ramapo River. Mr. Beattie said birth control has been ineffective method of population control. Also discussed was policy concerning bear on residential properties and bats in the home.

On motion of Dr. Davis, seconded by Ms. Wilgus, the reports were accepted.

ROLL CALL: All Yeas - Mr. Beattie, Dr. Davis, Mr. Ostapczuk, Mr. Talucci, Mr. Tiffinger, Ms. Wilgus

PAYMENT OF BILLS

The Board reviewed the following bills.

2009

2/3/2010 – The Valley Hospital (4 th Qtr. 2009 Community Wellness (health clinics)	\$ 526.80
2/3/2010 – The Valley Hospital (4 th Qtr. 2009 Blood borne Pathogens services – 3 training classes & 1 Hep-B Vaccination)	\$ 525.00
2/3/2010 – The Valley Hospital (4 th Qtr. 2009 Communicable Disease Surveillance)	\$ 339.30

2010

1/19/2010 – Borough of Waldwick (Yearly Administrative Fee & one immunization administered at Jan CHC)	\$ 140.00
2/1/2010 – Tyco Animal Control (January 2010 contracted services & four emergency calls)	\$1,390.00
2/3/2010 – Thomas J. Romans, Esq. (Attendance at January 2010 BOH Meeting)	\$ 208.00

On motion of Mr. Tiffinger, seconded by Ms. Wilgus, the bills were approved for payment.

ROLL CALL: All Yeas – Mr. Beattie, Dr. Davis, Mr. Ostapczuk, Mr. Talucci, Mr. Tiffinger, Ms. Wilgus

UNFINISHED BUSINESS

H1N1 / SEASONAL FLU CLINIC UPDATE

Mr. Beattie thanked Ms. Wilgus for helping at the Clinic and commended Ms. Dubowick and Jane Clemente from Valley Hospital for doing a fine job. It was reported that 67 H1N1 flu shots and 7 seasonal flu shots were administered. The clinic was shortened by 1.5 hours due to the low response and as a cost-savings measure. The Police Department’s electronic sign was placed in the center of town two days before the clinic to help publicize get word out to residents. This measure resulted in a doubling in the number of registrants. Mr. Beattie commented that, in the future, he hopes the sign can be put up further in advance. Advance notice must be given to the Police Dept.

Ms. Dubowick reported that Valley Hospital had submitted a bill for the nursing hours worked at the November H1N1 clinic and that an e-mail was sent on February 2nd to Leonard Fiorenza at Bergen County Dept. of Health Services requesting the procedure for accessing H1N1 funds allocated to Oakland by the State through Bergen County. No reply has been received.

BOARD OF HEALTH ATTORNEY CONTRACT / RESOLUTION #1-10

Mr. Beattie took Resolution #1-10 from the table and read same.

WHEREAS, it is necessary for the Board of Health of the Borough of Oakland to engage in the services of a Board of Health Attorney for 2010; and

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

WHEREAS, Board of Health President Ronald J. Beattie has nominated Thomas J. Romans, Esq. to serve as the Board of Health Attorney for the year 2010; and

WHEREAS, the Board of Health of the Borough of Oakland will receive an Affirmative Action compliance statement from Thomas J. Romans, 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 2010; AND

BE IT FURTHER RESOLVED that the contract amount shall not exceed \$3,000 (\$2,500 retainer and \$500 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 #10-01-27-330-028; 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 the adoption of this resolution be printed in a qualified newspaper within ten (10) days after passage hereof.

Motion of Ms. Wilgus, seconded by Mr. Talucci, Resolution #1-10 was adopted and the agreement was executed by Mr. Beattie.

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

UPDATE ON MASSAGE PARLORS

The Board reviewed and discussed the Norwood ordinance that licenses and regulates the practice of massage therapy. If Oakland adopts such an ordinance, it was suggested that the license fee be \$250. It was reported that Borough Attorney, Brian Chewcaskie, is investigating the legality of licensing massage parlors, and his findings, when received, will be reported to the Board. Council Liaison Pignatelli stated he will bring this matter before the Mayor and Council. This matter was tabled until the March meeting.

NEW BUSINESS

CAROL TYLER - TYCO ANIMAL CONTROL

Discussion took place during the Regular Business portion of the meeting.

EMERGENCY CALL FEE RECOVERY ORDINANCE

Discussion took place during the Regular Business portion of the meeting.

HEALTH LICENSE STATUS

Inspector Jernick reported that six establishments are being issued summonses for not renewing their health licenses. Health licenses expire on 12/31 and establishments are granted a 30-day grace period. Inspector Jernick reported reminded each establishment by paying each a personal visit on 1/22 and following up with a phone on 1/25. Mr. Tiffinger suggested shutting down the establishments as this measure usually gets a quick response.

ANY OTHER BUSINESS

Council Liaison Pignatelli reported that the septic maintenance ordinance being considered for adoption by the Board and thought to be required under the Waste Water Management Act may not be required. Council Liaison Pignatelli said the Morris County Planner received a letter from the DEP on this subject. The DEP's position is that such an ordinance would be a burden to municipalities due to the amount of work required to manage such a program. The only requirement is that municipalities have plan. Council Liaison Pignatelli's recommendation for Oakland is exactly what is required under state code, i.e., anyone within 100' of a sanitary sewer must connect to it. This information was given to the Planning Board, the Mayor and Council and the Borough Administrator. Council Liaison Pignatelli will forward a copy of the letter to all parties concerned upon receipt of same.

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:

Ronald J. Beattie, President

ATTEST: _____
Karin Kennedy Dubowick, Secretary

DATE: _____