

# REGULAR MEETING OF THE OAKLAND BOARD OF HEALTH

May 10, 2010 - 7:30 p.m.

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

## CALL TO ORDER

Mr. Beattie called the meeting to order at 7:33 PM.

## ROLL CALL

Mr. Beattie, Dr. Davis, Mr. Ostapczuk, Ms. West, Ms. Wilgus

## 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 April 12th. On motion of Mr. Ostapczuk, seconded by Ms. Wilgus, the minutes were approved.

ROLL CALL: All Yeas – Mr. Beattie, Mr. Ostapczuk, Ms. West. Dr. Davis & Ms. Wilgus abstained.

### **REVIEW REPORTS**

- Sanitarian's (REHS') Monthly Report – April 2010
- Secretary's Registrar's Monthly Report – April 2010
- Tyco Animal Control Report – April 2010

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

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

### **PAYMENT OF BILLS**

The Board reviewed the following bills.

04/19/2010 – The Valley Hospital (1 <sup>st</sup> Quarter Billing, per 2010 Nursing Contract)	\$1,360.86
04/28/2010 – Tyco Animal Control (April Animal Control Services, per Contract)	\$1,390.00
04/14/2010 – Borough of Waldwick (One child seen for immunizations only at 4/13/10 CHC)	\$ 15.00

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05/10/2010 – Thomas J. Romans \$ 208.00  
(Attend 5/10 BOH Meeting, per Retainer Agreement)

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

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

**UNFINISHED BUSINESS**

**ADOPTION OF VITAL STATISTICS FEE ORDINANCE #10-CODE-83**

Mr. Beattie directed Ms. Dubowick to take Ordinance #10-CODE-83 from the table and read same, by title, for final reading and public hearing.

“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 Ms. West, seconded by Ostapczuk, the meeting was opened to the public.

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

No public present to comment.

Motion of Ms. Wilgus, seconded by Dr. Davis, the meeting was closed to the public.

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” introduced April 12, 2010 pass final reading, and that said Ordinance be adopted as an Ordinance of the Board of Health of the Borough of Oakland.

BE IT FURTHER RESOLVED that the Secretary of the Board of Health be and she is hereby directed to cause said Ordinance to be published in The Record in the manner provided by Law.

Motion of Ms. Wilgus, seconded by Ms. West, Ordinance #10-CODE-83 was adopted.

Roll Call: All Yeas - Mr. Beattie, Dr. Davis, Mr. Ostapczuk, Ms. West, Ms. Wilgus

**BRAIN CANCER**

Bergen County Department of Health Services Planner Len Fiorenza, entered the meeting at 8:05 PM.

The Board discussed a letter from State Epidemiologist Lisa Paddock, dated May 3, 2010, (copy attached) reporting on the results of the brain cancer investigation conducted in response to concerns expressed by a resident about a reportedly high number of cases of brain cancer in the community.

Mr. Ostapczuk reported on the results of his investigation. The families affected by brain cancer that he had contacted felt the physicians should provide the information. Mr. Beattie spoke of HIPPA concerns getting in the way. Mr. Fiorenza said there is a public health exemption and that HIPPA laws would not apply in this case since the Board of Health was doing a cancer cluster investigation in the interest of public health.

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Mr. Fiorenza reported that he had spoken with State Epidemiologist Lisa Paddock earlier in the day and found that Ms. Paddock had spoken with six people in town, none of whom could provide any hard facts; however, they expressed much concern and anxiety. Ms. Paddock used the cancer registry for older data and obtained current data from other sources.

Mr. Fiorenza expressed his condolences to the families and said he understood the community's concern and anxiety. He went on to explain what Ms. Paddock reported in her letter, stating that cancer clusters are extremely rare. In response to Mr. Beattie's question about there being an environmental exposure due to Oakland's wells being down stream from to Mahwah where Ford dumped paint sludge near the Ramapo River. Mr. Fiorenza responded that "...environmental exposures need to be relatively immediate and maybe prolonged to even surmise an association let alone a causality."

Also discussed was the fact that the number of cases of pediatric brain cancer in the community being reported by concerned parents was never substantiated. No one with whom the State or the County had spoken had any hard facts. Rumors concerning the number of cases were running rampant throughout the community which needed to be addressed. Mr. Fiorenza noted that information about brain cancer has been made available, and Mr. Beattie indicated that all the information is available on the internet.

In summary, Ms. Paddock reported, "the childhood cancer incidence in Oakland is similar to the childhood cancer rates that we see in Bergen County and in New Jersey for all cancers combined and for brain cancer." Furthermore, "Though the recent occurrence of these cancers may seem unusual to many people, it is important to remember that childhood cancers, like other health events, do not occur evenly in the population and therefore, some places and times appear to have more than expected and others less than expected numbers, mostly due to random variation or chance. It should be noted that rare events such as childhood cancers are more likely to demonstrate a higher degree of random variation." Ms. Paddock acknowledged the fact that, "these facts do not make childhood brain cancer any less worrisome."

The following two questions arose during the discussion, and Ms. Dubowick was directed to contact Ms. Paddock for answers to both:

1. Are the actual statistics on which the report was based or statistics for a town similar to Oakland available?
2. If the data in the cancer registry is monitored by the state, what would need to happen to trigger a cancer cluster investigation?

Mr. Beattie stated that he'd like to meet with Supt. of Schools Dr. Heflich to discuss the contents of Ms. Paddock's letter. Ms. West said she would also like to attend. Ms. Dubowick will contact the Board of Education to make the arrangements.

Ms. Dubowick was instructed to make copies of the letter available to anyone inquiring about the investigation.

### **POD PLANNING**

Mr. Beattie spoke about the recently thwarted attack in Times Square being a reminder that a bioterrorism attack is not out of the realm of possibility and POD planning must continue. A table top drill is the next step in the process. Mr. Fiorenza stated he will e-mail Ms. Dubowick the link to information on FEMA's website on running various types of drills.

Mr. Fiorenza spoke about County planning and noted that the POD is designed so it can be adapted to respond to any type of disaster, i.e., distribution of medication or food, administration of vaccinations, and that aspects of the various POD models were tested at the County H1N1 vaccination clinics held earlier in the year.

Also discussed was where to find guidelines to hold a table top exercise. Mr. Fiorenza said the information is available on FEMA'S website where information on how to conduct a full-scale drill is also located. Mr. Fiorenza will locate the link and forward it to the Board.

## **NEW BUSINESS**

### **PRESCHOOL VISION & HEARING SCREENING**

This program is scheduled for Wednesday, May 19<sup>th</sup>, at the Ponds Reformed Church.

### **VENDING LICENSES**

Ms. Dubowick reported on outstanding vending license fees and was instructed to send the establishment an invoice.

### **6 RIVERSIDE DRIVE**

Inspector McGrath reported on a situation on Riverside Drive where eight dwellings are situated on four lots with septic systems crossing over lot lines. Under the current septic configuration, some houses have just a tank and others have just a pit with piping crossing lot lines. This arrangement does not meet the current septic code; therefore, if one system fails, all the septic systems would require replacement. The eight dwellings, one of which is a duplex, are also in very close proximity to the Ramapo River. The land is owned by a now defunct corporation, but the dwellings are owned individually. Inspector McGrath reported that the dwellings were once summer bungalows and application was made to the Zoning Board 38 years ago to convert one of the bungalows to a year-round residence. Though the Health Department recommended against the conversion and the Zoning Board denied the application, this decision was overturned in court. At some point in time, the other bungalows were also converted to year-round residences.

This situation came to light due to the pending sale of one of the homes. The complexity of the situation and lack of viable solutions prompted Inspector McGrath to contact the NJDEP for advisement. The NJDEP offered two possible solutions, i.e., eliminate the interior lot lines, create a condo association and build one community septic system, or subdivide the land so each house is situated on its own lot, each with its own individual septic system. Implementing either of these plans would be contingent upon review and approval by a professional engineer.

Inspector McGrath reported that she had sent a letter to the person on record in charge of the properties to inform him of the situation and advise him of the NJDEP's recommendations. Inspector McGrath is of the opinion that neither solution is viable due to property constraints and suggested using a Borough-owned piece of property situated across the street from the properties-in-question as a location for a community septic system. Council Liaison Pignatelli noted this would require the property owners to form a condo association and purchase of the land from the Borough. Concern was expressed about the possibility of the property owners not cooperating. Should this happen, the dwellings could be condemned, thereby forcing the owners to either cooperate or vacate the premises.

The Board discussed the matter and concluded that no action could be taken until a septic system fails. The Board directed Inspector McGrath to check the Building Department files for any additional information that might be available about the properties.

### **2010 RABIES CLINIC**

It was reported that Saturday, November 13<sup>th</sup>, has been secured as the date for the clinic. It is anticipated that either Dr. Duhr or Dr. Shea from Ramapo Valley Animal Hospital will staff the clinic. This will be confirmed next week.

**ANY OTHER BUSINESS**

Inspector McGrath reported that the sushi restaurant proposed to open in the strip mall at 400 Ramapo Valley Road will occupy the vacant space next to the paint store, not the space at the other end of the mall as was originally proposed. Inspector McGrath reiterated that she has a letter from the property owner indicating his agreement to replace the entire septic system should any portion of it fail.

It was also reported that Trovato’s Due II and the Oakland Diner are still operating under temporary health licenses due to non-compliance with the food course codes. The Board decided that both establishments should be summoned to appear at the June Board of Health meeting.

**ADJOURNMENT**

On motion of Mr. Ostapczuk, seconded by Ms. West, the meeting was adjourned at 9:24 PM.

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

APPROVED:

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Ronald J. Beattie, President

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

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