

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

**October 19, 2010 - 7:30 p.m.**

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

## **CALL TO ORDER**

Dr. Davis called the meeting to order at 7:31 PM.

## **ROLL CALL**

Dr. Davis, Mr. Ostapczuk, Mr. Talucci, Mr. Tiffinger, Ms. West

## **OTHERS PRESENT**

Senior Sanitary Inspector (REHS) Deborah A. McGrath, 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.

## **REGULAR BUSINESS**

### **ADOPTION OF MINUTES**

The Board reviewed the minutes of September 13th. On motion of Ms. West, seconded by Mr. Ostapczuk, the minutes were approved.

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

### **REVIEW REPORTS**

The Board reviewed the following reports:

- Sanitarian's (REHS') Monthly Report – September
- Secretary's/Registrar's Monthly Report – September
- Tyco Animal Control Report – September

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

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

### **PAYMENT OF BILLS**

The Board reviewed the following bills.

09/20/2010 – The Valley Hospital (November '09 & January '10 H1N1 Flu Shot Clinics)	\$ 2,001.84
09/20/2010 – Bergen County Dept. of Health Services (Public Health Services, per 2010 Contract – 2 <sup>nd</sup> Half '10)	\$61,652.22

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10/01/10 – Tyco Animal Control (September Animal Control Services, plus 3 emergency responses - 1 call @ no charge)	\$ 1,330.00
10/19/2010 – Thomas J. Romans, Esq. (Attend October Board meeting)	\$ 208.00

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

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

**UNFINISHED BUSINESS**

**DOUGLAS BROWN’S DOGS**

Dr. Davis reported that Animal Control Officer Carol Tyler conducted an inspection of the Brown’s premises on September 25<sup>th</sup> and found only four dogs, all of which were licensed. The remaining three dogs had been removed. As a result, no further action was required.

**2011 BUDGET**

Ms. Dubowick presented the budget to the Board. A discussion took place about the Adult Health Clinic. Reportedly, the clinic is not well attended; therefore, a change in schedule was suggested to boost attendance. Valley Hospital and the Senior Center will be contacted to arrange the change in schedule which will go into effect in January. The Board will revisit this matter in six months to determine if any further changes need to be made.

The Board reviewed the results of the fee comparison and decided that fees should be brought in line with those of the surrounding towns. Ordinances will need to be amended, and funding for advertising in the 2011 budget will be required. Discussion on the specific fee/permit increases was tabled.

There will be no increase in the 2011 Valley Hospital Public Health Nursing contract and a 1.88% increase in the 2011 Bergen County Department of Health Services Public Health contract.

On motion of Mr. Ostapczuk, seconded by Ms. West, the following 2011 Board of Health Budget was approved for submittal to the Borough Administrator:

<b>01-27-330-021 – Advertising:</b>	<b>\$ 700</b>
<b>01-27-330-028 – Professional Services</b>	
Retainer Agreement:	\$ 2,500
Other legal matters:	<u>\$ 500</u>
<b>TOTAL Professional Services:</b>	<b>\$ 3,000</b>
<b>01-27-330-040 – Dues:</b>	<b>\$ 50</b>
<b>01-27-330-042 – Professional Development:</b>	<b>\$ 425</b>
<b>01-227-330-044 – Subscriptions</b>	<b>\$ 0</b>
<b>01-27-330-094 – Health Supplies</b>	<b>\$ 600</b>

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**01-27-330-135 – Blood borne Pathogens**

Valley Hospital Training (2 classes @ \$450):	\$900	
Valley Hospital Hep-B Shots (1 Series @ \$225)	\$225	
<b>TOTAL Blood borne Pathogens:</b>		<b>\$ 1,140</b>

**01-01-27-330-140 – Communicable Disease:**

Valley Hospital School Audits, Rabies Follow-up and Comm. Disease Surveillance		<b>\$ 4,600</b>
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**01-27-330-150 – Health Clinics:**

Valley Hosp. Comm. Wellness: (Adult Health Clinic, Pre-school Vision and Hearing Program & Flu Clinic)	\$4,100	
Waldwick Inter-local Agreement for CHC: \$125 Administrative Fee \$35 per child for Exam or Exam/Immunization \$15 per child for immunization only	\$ 500	
<b>TOTAL Health Clinics:</b>		<b>\$ 4,600</b>

**01-27-330-160 – Bergen County Public Health Contract: \$125,628**

**01-27-330-170 – Animal Control \$ 3,800**

Tyco Animal Control Contract: \$13,800/year, plus \$60 per emergency call  
(Note: Balance of funding from Cat & Dog Licensing Trust Acct.)

**TOTAL OTHER EXPENSES BUDGET: \$144,543**

**SEPTIC INSTALLER’S BOND**

Inspector McGrath reported that she had researched the septic ordinance and found the section on the bond requirement to be vague. The installer’s bond protects the Borough which is listed as the insured; therefore, claims against the bond may only be made by the Borough.

**TYCO ANIMAL CONTROL**

It was reported that Tyco Animal Control credited the Borough \$60 for the emergency call made to a home where a horse had recently died. The owners of the horse, not the Borough, paid to have the horse shipped to Pennsylvania and for the necropsy. On Mr. Beattie’s request, a memo had been sent to the Chief of Police to provide clarification on what constitutes an emergency call.

**NEW BUSINESS**

**PROPOSED SEPTIC PLAN REVIEW ORDINANCE**

Inspector McGrath spoke about a meeting that took place to address water run-off complaints received by the Building Dept. from neighbors of residents with mounded septic systems. Inspector McGrath said it was agreed that all septic systems must be designed for zero runoff. Boswell Engineering, the Borough’s engineer, proposed they review every septic plan for compliance and issue a certification to the Borough. Boswell estimates their plan review will add five to 10 business days to the review process and recommends fees (yet to be determined) be paid through an escrow account established by each homeowner.

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Inspector McGrath reported that only three run-off complaints had been received by the Building Department in recent years, none of which was caused by a mounded septic system on an adjacent property. Since few septic designs are for mounded systems and most properties are flat, Inspector McGrath feels Boswell's solution is cumbersome and costly to homeowners and will cause an unnecessary delay in the approval process. The delay would be especially problematic to homeowners facing closing deadlines for home sales.

To streamline the process and minimize costs to the homeowner, Inspector McGrath suggested having the septic design engineer provide the certification when plans are submitted to the Health Department for review. The Board agreed with Inspector McGrath and acknowledged the change in procedure would require an amendment to the septic ordinance. Inspector McGrath will prepare a memo summarizing the matter, as requested by Council Liaison Pignatelli, so it can be brought before the Mayor and Council.

### **NEW FOOD ESTABLISHMENTS**

Inspector McGrath reported on the following new and proposed food establishments in town:

**Muscle Maker Grill** – Will be opening any day in the Copper Tree Mall.

**Zeytinia** – Change in ownership, new owners will retain the same staff. The new owners want to open a kiosk to sell coffee and rolls, etc. inside the Copper Tree Mall, near the Motor Vehicle office. It was decided that the kiosk would be considered a new food establishment requiring a separate license. The kiosk will be considered a snack bar.

**Valley Pub** – Purchased by the owner of Cenzino. The interior of the pub will be renovated.

**Pizza Hut** – Will be strictly take-out and will occupy the first floor of the Touch of Tweed building located next to Oakland Liquors. Planning Board approval has been granted, and some septic improvements will be made.

**Burger King** – A subdivision was approved for this piece of property where a new Burger King and a bank will be built.

**Cupcakes Galore & More** – This establishment is proposed to open in the section of the Copper Tree Mall served by a septic system. Cupcakes, gelato and coffee will be served; however, all baking and food prep will be done at another store off site. The owner is to supply water records to determine impact on the septic. Inspector McGrath anticipates approval will be granted.

**Convenience Store** – Will open next to the Oakland Diner and is currently under construction.

**Mini-Mart** – Change in ownership, and the new owner will be installing a coffee station.

**Fitness Center** – Will open in the former Drug Fair location. Since this new establishment will have eight showers and the septic system serving the establishment cannot accommodate the additional flow, Inspector McGrath denied approval for this occupancy.

Based on the fact that the DEP had granted a NJPDES permit for the mall, the proposed tenant contacted the DEP for approval which was granted. Since the DEP had not consulted the Health Dept. to discuss the matter prior to granting approval, Inspector McGrath called to be sure the DEP was aware of the problems with the site., i.e., there are separate septic systems serving the various establishments in the mall, and the system serving the proposed fitness center is inadequate for the proposed use. Inspector McGrath expressed concern about the system failing, but the DEP held its

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position. In the event the system fails, the DEP recommended hooking the fitness center into the next largest septic system at the site as a solution. Inspector McGrath reported to the Board that the next largest system, the one serving Duncan Donuts, is pumped frequently, overflowed in the springtime and could not possibly accommodate any additional flow. With approval already having been granted, nothing can be done to stop the occupancy. Inspector McGrath feels this will become a problem in the future.

**Ultimate Sports** – This new facility has opened.

**BOARDING HOME COMPLAINT**

Inspector McGrath reported that an anonymous complaint had been received about a boarding home on Franklin Avenue. With the Health Department having no jurisdiction over boarding homes, Inspector McGrath sent a letter requesting an inspection to the state licensing agency.

**ANY OTHER BUSINESS**

No other business reported.

**ADJOURNMENT**

On motion of Ms. West, seconded by Mr. Tiffinger, the meeting was adjourned at 8:56 PM.

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

APPROVED:

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Ronald J. Beattie, President

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

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