

**REORGANIZATION
AND
REGULAR MEETING
OF THE OAKLAND BOARD OF HEALTH**

January 19, 2016 - 7:30 p.m.

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

REORGANIZATION

CALL TO ORDER

Mr. Tiffinger called the meeting to order at 7:30 PM.

ROLL CALL

All members present.

OTHERS PRESENT

Pasquale Pignatelli, R.E.H.S. Kristin Caperino and Thomas J. Romans, Esq.

OATHS OF OFFICE

Mr. Romans administered the oath of office to Messrs. Pignatelli and Talucci. Messrs. Pignatelli and Talucci also acknowledged receipt of the Board of Health Code of Ethics.

MEETING ANNOUNCEMENT

Mr. Tiffinger 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.

NOMINATE & APPOINT PRESIDENT

Mr. Tiffinger called for nominations for President.

On motion of Mr. Pignatelli, seconded by Mr. Ostapczuk, Mr. Tiffinger was nominated as President. With no other nominations having been made, nominations were closed.

On motion of Mr. Pignatelli, seconded by Mr. Talucci, Mr. Tiffinger was appointed Board of Health President for the year 2016.

Roll Call: All Yeas – Ms. Ashkenazi, Mr. Ashkenazi, Mr. Ostapczuk, Mr. Pignatelli, Mr. Talucci, Ms. West. Mr. Tiffinger abstained.

NOMINATE & APPOINT VICE-PRESIDENT

Mr. Tiffinger called for nominations for Vice-President.

On motion of Mr. Pignatelli, seconded by Ms. West, Mr. Ostapczuk was nominated for Vice-President.

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On motion of Mr. Talucci, seconded by Mr. Ostapczuk, Mr. Pignatelli was nominated for Vice-President.

A vote for Mr. Pignatelli was taken: Yeas: Ms. Ashkenazi, Mr. Ashkenazi, Mr. Ostapczuk, Mr. Talucci, Ms. West. Nays: Mr. Tiffinger. Mr. Pignatelli abstained.

With Mr. Pignatelli taking the majority of votes, on motion of Mr. Ostapczuk, seconded by Mr. Talucci, Mr. Pignatelli was appointed Board of Health Vice-President for the year 2016.

Roll Call: All Yeas: Ms. Ashkenazi, Mr. Ashkenazi, Mr. Ostapczuk, Mr. Talucci, Mr. Tiffinger, Ms. West. Mr. Pignatelli abstained.

NOMINATE AND APPOINT ATTORNEY

Motion of Mr. Pignatelli, seconded by Mr. Ostapczuk, Thomas J. Romans, Esq. was nominated to serve as Board of Health Attorney for the year 2016. With no other nominations being made, nominations were closed.

Motion of Ms. Ashkenazi, seconded by Mr. Talucci, Mr. Romans was appointed Board of Health Attorney for the year 2016.

Roll Call: All Yeas: Ms. Ashkenazi, Mr. Ashkenazi, Mr. Ostapczuk, Mr. Pignatelli, Mr. Talucci, Mr. Tiffinger, Ms. West.

PROFESSIONAL SERVICES RESOLUTION #1-16

Ms. Dubowick was directed to take Resolution #1-16 from 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 2016; and

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

WHEREAS, N.J.S.A. 40:11-1 et sec. exempts professional services from certain requirements of public bidding provided a notice of the appointment be printed in a newspaper of general circulation within the municipality; and

WHEREAS, Board of Health member Pasquale Pignatelli has nominated Thomas J. Romans, Esq. to serve as the Board of Health Attorney for the year 2016; 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 2016; and

BE IT FURTHER RESOLVED, that compensation for said Board of Health Attorney for the year 2016 shall be claimed, approved and paid in the manner set forth in N.J.S.A. 40a:5-18 and pursuant to agreement to be entered into between parties; and

BE IT FURTHER RESOLVED that the contract amount shall not exceed \$3,163.00 (\$2,663.00 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 #6-01-27-330-028; and

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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 to be printed in a qualified newspaper within ten (10) days after passage hereof.

On motion of Mr. Ostapczuk, seconded by Ms. Ashkenazi, Professional Services Resolution #1-16 was adopted.

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

DESIGNATE OFFICIAL NEWSPAPER

Mr. Tiffinger asked for a motion to designate the official newspaper.

On motion of Mr. Ostapczuk, seconded by Ms. West, The Record was designated as the Official Publication to receive all Board of Health legal notices, providing, however, that in the event a deadline cannot be met by The Record, the Suburban Trends is designated to receive such notices as well as other public meeting notices.

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

ADOPT BY-LAWS

Mr. Tiffinger asked the Board to review the By-Laws. No changes were proposed.

On motion of Mr. Ostapczuk, seconded by Ms. West, the By-Laws were adopted for the year 2016.

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

ADJOURNMENT

Motion of Mr. Ostapczuk, seconded by Ms. West, the By-Laws were adopted for the year 2016.

Roll Call: All Yeas – Ms. Ashkenazi, Mr. Ashkenazi, Mr. Ostapczuk, Mr. Pignatelli, Mr. Talucci, Mr. Tiffinger, Ms. West

REGULAR MEETING

REGULAR BUSINESS

CALL TO ORDER

Mr. Tiffinger called the meeting to order at 7:47 PM.

ROLL CALL

All Yeas - Ms. Ashkenazi, Mr. Ashkenazi, Mr. Ostapczuk, Mr. Pignatelli, Mr. Talucci, Mr. Tiffinger, Ms. West

ABSENT MEMBERS

All members present.

OTHERS PRESENT

Thomas J. Romans, Esq. and REHS Kristin Caperino

MEETING ANNOUNCEMENT

Mr. Tiffinger 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

ADOPTION OF MINUTES

The Board reviewed the December minutes.

On motion of Mr. Ostapczuk, seconded by Ms. Ashkenazi, the minutes were approved.

Roll Call: All Yeas – Ms. Ashkenazi, Mr. Ashkenazi, Mr. Ostapczuk, Mr. Talucci, Mr. Tiffinger, Ms. West. Mr. Pignatelli abstained.

REVIEW REPORTS

The Board reviewed the following reports:

- BCDHS Public Health Nursing Activity Report – December
- CDRSS Report – December
- REHS' Monthly Report – December
- Secretary's/Registrar's Report – December
- Tyco Animal Control Report – No report. December's and January's reports will be submitted together and reviewed in February.

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

Roll Call: All Yeas – Ms. Ashkenazi, Mr. Ashkenazi, Mr. Ostapczuk, Mr. Pignatelli, Mr. Talucci, Mr. Tiffinger, Ms. West

PAYMENT OF BILLS

The Board reviewed the following bills:

01/14/2016 – NORTH JERSEY MEDIA GROUP **\$ 84.28**

(Advertise 2016 Board of Health Meeting Schedule in the Record and The Suburban Trends)

01/07/2016 – THOMAS J. ROMANS, ESQ. **\$221.92**

(For professional services rendered in January 2016, per contract)

On motion of Ms. West, seconded Mr. Talucci, the Board approved the bills for payment.

Roll Call: All Yeas – Ms. Ashkenazi, Mr. Ashkenazi, Mr. Ostapczuk, Mr. Pignatelli, Mr. Talucci, Mr. Tiffinger, Ms. West

UNFINISHED BUSINESS

ORDINANCE PROHIBITING THE SALE OF TOBACCO AND NICOTINE DELIVERY SYSTEMS TO MINORS

On motion of Mr. Ostapczuk, seconded by Ms. Ashkenazi, this topic was tabled until the February meeting.

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

CLARIFICATION ON 2016 BOARD OF HEALTH BUDGET GOAL

After a discussion, the Board agreed the Public Health Annex to Oakland's Emergency Operations Plan could be updated, a table-top exercise could be conducted and the DVD that Mr. Talucci was speaking about at last month's meeting could be put on Oakland's Public Access TV Channel, if deemed appropriate. Ms. West, Mr. Tiffinger and Mr. Talucci decided to view the DVD and report back at a future meeting.

On motion of Ms. Ashkenazi, seconded by Mr. Ostapczuk, the Board clarified the 2016 Board of Health Budget goal as follows: "Continue Emergency Preparedness Training by updating the Public Health Annex to Oakland's Emergency Operations Plan, conducting a table-top exercise and providing emergency preparedness education to the community."

Roll Call: All Yeas – Ms. Ashkenazi, Mr. Ashkenazi, Mr. Ostapczuk, Mr. Pignatelli, Mr. Talucci, Mr. Tiffinger, Ms. West.

NEW BUSINESS

AMEND SEPTIC AND SPECIAL FEES ORDINANCES

The County's new pricing structure and model for providing REHS septic services, required the Board of Health to increase septic and special permit fees to cover the added costs. A proposed new fee structure was presented to the Board, reviewed and approved. Mr. Romans will draft the ordinance amending the fees which will be introduced in March and adopted in April.

Two other amendments were discussed and approved by the Board. The first amendment will institute a deadline by which septic pumping companies must submit their list of pumpings and payment for permit fees to the Board of Health. That deadline will be the 15th of the month following the month during which the work was performed. The second amendment will require all septic systems to undergo inspection prior to real property transfer in order to identify cesspools that need replacement, per state code. Since most mortgage lenders require a septic inspection prior to issuing the funds for closing, the state identifies properties with cesspools by requiring inspection companies to forward a copy of each septic inspection report to the local health department. However, properties transfer "as is", without a mortgage lender being involved, so not all cesspools are being identified. Requiring a septic inspection for all real property transfers will help the health department ensure all cesspools are being replaced prior to the transfer of a property. An ordinance with these two amendments will be drafted at a future date so as not to delay adoption of the new septic fee ordinance.

REVIEW LETTER TO HEALTH OFFICER DR. NANCY MANGIERI

Mr. Tiffinger reported that he, Mr. Kunze and Ms. Dubowick met to discuss areas of concern with the proposed 2016 Bergen County Public Health Shared Services Contract. It was agreed a letter should be sent to Dr. Mangieri from Mr. Tiffinger, Mayor Schwager and Mr. Kunze expressing displeasure with the manner in which the Borough was notified of the major overhaul to the contract pricing structure and new model for providing public health shared services and to request a meeting to discuss multiple issues. The Board reviewed and approved the letter.

On motion of Mr. Ostapczuk, seconded by Ms. Ashkinazi, the Board approved the letter to Dr. Mangieri.

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Roll Call: All Yeas – Ms. Ashkenazi, Mr. Ashkenazi, Mr. Ostapczuk, Mr. Pignatelli, Mr. Talucci, Mr. Tiffinger, Ms. West.

ANY OTHER BUSINESS

BERGEN COUNTY DEPARTMENT OF HEALTH SERVICES CONTRACT

Mr. Kunze requested the members of the Board revisit their decision to recommend a two-year term on the Bergen County Public Health Shared Services Contract. Bergen County offers its greatest discount on its five-year contract. Mr. Kunze advised if the Borough decides to terminate the contract prior to the end of the five-year term, there is no clause in the contract that would cause it to revert back to the two-year rate. With this new information, the Board changed its position and agreed to recommend the five-year term. Ms. Dubowick will notify Mr. Kunze.

On motion of Mr. Pignatelli, seconded by Mr. Ostapczuk, the Board recommended executing the five-year Public Shared Services Contract with Bergen County.

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

ADJOURNMENT

On motion of, Mr. Pignatelli, seconded by Mr. Ostapcauk, the meeting was adjourned at 9:02 PM.

Roll Call: All Yeas – Ms. Ashkenazi, Mr. Ashkenazi, Mr. Ostapczuk, Mr. Pignatelli, Mr. Talucci, Mr. Tiffinger, Ms. West.

APPROVED:

Stephen C. Tiffinger, President

ATTEST: _____
Karin Kennedy Dubowick, Secretary

DATE: _____