

RE-ORGANIZATION AND REGULAR MEETING OF THE OAKLAND BOARD OF HEALTH

January 28, 2014 - 7:30 p.m.

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

RE-ORGANIZATION

CALL TO ORDER

Mr. Tiffinger called the meeting to order at 7:40 PM.

ROLL CALL: Ms. Blanco, Dr. Danko, Mr. Ostapczuk, Mr. Talucci, Mr. Tiffinger, Ms. Wilgus

ABSENT MEMBERS

The date of the meeting was changed due to a snow storm. Ms. West was absent due to a prior commitment.

Motion of Ms. Wilgus, seconded by Mr. Ostapczuk, Ms. West was excused.

Roll Call: All Yeas - Ms. Blanco, Dr. Danko, Mr. Ostapczuk, Mr. Talucci, Mr. Tiffinger, Ms. Wilgus

OTHERS PRESENT

H.O. Dr. Nancy Mangieri, Sr. Public Health Nurse Meg Mantello and R.E.H.S. 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.

APPOINTMENT OF PRESIDENT

Mr. Tiffinger called for nominations for President.

On motion of Mr. Ostapczuk, seconded by Ms. Wilgus, Mr. Tiffinger was nominated for President

With no other nominations being made, Mr. Tiffinger was appointment President for the year 2014.

Roll Call: Ms. Blanco, Dr. Danko, Mr. Ostapczuk, Mr. Talucci, Ms. Wilgus. Mr. Tiffinger abstained.

APPOINTMENT OF VICE-PRESIDENT

Mr. Tiffinger called for nominations for Vice-President

On motion of Mr. Ostapczuk, seconded by Mr. Talucci, Ms. Wilgus was nominated.

With no other nominations being made, Ms. Wilgus was appointed Vice-President for the year 2014.

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Roll Call: All Yeas: Ms. Blanco, Dr. Danko, Mr. Ostapczuk, Mr. Talucci, Mr. Tiffinger. Ms. Wilgus abstained.

OATHS OF OFFICE

Mr. Romans was not yet present to administer the Oath of Office to Mr. Ostapczuk. An Oath of Office Form will be mailed to Ms. West.

APPOINTMENT OF ATTORNEY

Mr. Romans was not yet present.

DESIGNATION OF OFFICIAL NEWSPAPER

On motion of Mr. Ostapczuk, seconded by Ms. Blanco, 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. Blanco, Dr. Danko, Mr. Ostapczuk, Mr. Talucci, Mr. Tiffinger, Ms. Wilgus

ADOPTION OF BY LAWS

On motion of Ms. Wilgus, seconded by Ms. Blanco, the By-Laws were adopted for the year 2014.

Roll Call: All Yeas – Ms. Blanco, Dr. Danko, Mr. Ostapczuk, Mr. Talucci, Mr. Tiffinger, Ms. Wilgus

ADJOURNMENT

On motion of Mr. Ostapczuk, seconded by Mr. Talucci, the Reorganization portion of the meeting was temporarily adjourned at 7:45 PM.

Roll Call: All Yeas - Ms. Blanco, Dr. Danko, Mr. Ostapczuk, Mr. Talucci, Mr. Tiffinger, Ms. Wilgus

REGULAR MEETING

CALL TO ORDER

Mr. Tiffinger called the meeting to order at 7:45 PM.

ROLL CALL

Ms. Blanco, Dr. Danko, Mr. Ostapczuk, Mr. Talucci, Mr. Tiffinger, Ms. Wilgus

ABSENT MEMBERS

Motion of Ms. Wilgus, seconded by Mr. Talucci, Ms. West was excused from the meeting.

Roll Call: All Yeas: Ms. Blanco, Dr. Danko, Mr. Talucci, Mr. Tiffinger, Ms. West, Ms. Wilgus

OTHERS PRESENT

H.O. Dr. Nancy Mangieri, Senior Public Health Nurse Meg Mantillo and R.E.H.S. 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.

REGULAR BUSINESS

ADOPTION OF MINUTES

The Board reviewed the December minutes.

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

ROLL CALL: All Yeas – Ms. Blanco, Dr. Danko, Mr. Ostapczuk, Mr. Talucci, Mr. Tiffinger, Ms. Wilgus.

REVIEW REPORTS

The Board reviewed the following reports:

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

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

Roll Call: All Yeas – Ms. Blanco, Dr. Danko, Mr. Ostapczuk, Mr. Talucci, Mr. Tiffinger, Ms. Wilgus

PAYMENT OF BILLS

The Board reviewed the following bills:

2013 BILLS

12/16/2013 – Tyco Animal Control (December 2013 Monthly Animal Control Charges)	\$ 1,175.00
12/16/2013 – Tyco Animal Control (December Animal Control Emergency Calls – Two)	\$ 120.00
1/1/2014 – North Jersey Media Group (Publish Adoption of Ord. #13-CODE-90)	\$ 39.18
1/2/2014 – The Valley Hospital (For professional services rendered during 4 th Quarter 2013 – Communicable Disease)	\$ 335.21
1/2/2014 – The Valley Hospital (For professional services rendered during 4 th Quarter 2013 – Health Clinics)	\$ 950.30

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1/28/2014 – Bergen County Dept. of Health Services \$ 39,867.24
(Revised bill for 2nd Half 2014 Public Health Shared Services)

2014 BILLS

1/28/2014 – Bergen Passaic Registrar's Association \$ 20.00
(2014 Dues for Registrar & Deputy Registrar)

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

Roll Call: All Yeas – Ms. Blanco, Dr. Danko, Mr. Ostapczuk, Mr. Talucci, Mr. Tiffinger, Ms. Wilgus

UNFINISHED BUSINESS

MEETING OPENED TO THE PUBLIC

On motion of Mr. Ostapczuk, seconded by Mr. Talucci, the meeting was opened to the public.

Roll Call: All Yeas – Ms. Blanco, Dr. Danko, Mr. Ostapczuk, Mr. Talucci, Mr. Tiffinger, Ms. Wilgus

CHRISTINE GUNSET COMPLAINT

Ms. Gunset, 14 River Road, asked the Board for an update and showed the Board a photo, allegedly taken a couple of days before Christmas, of another deer carcass hanging in her neighbor's yard, the remains of which are now with the other remains she's complained about. Ms. Gunset is concerned that the carcass will start to smell when the weather warms up and asked if the neighbor will be asked to clean it up.

Mr. Tiffinger reported that that Board Attorney Mr. Romans was going to report on this subject but he wasn't present. The plan is to use a section of the Public Health Nuisance Code that is very specific so the neighbor will have to remove the carcass. Inspector Caperino said she will send the neighbor a letter and give him two weeks to clean it up. Mr. Tiffinger said he should be given a week. If the neighbor doesn't clean up his yard within the week, he will be given a summons which will be sent regular mail and certified. Ms. Gunset asked to be sent a copy of the letter and for an update on the situation. Inspector Caperino agreed to do so.

NEW BUSINESS

JUNIOR'S PIZZA

Mr. Baki Ahmedi, 415 Boyd Street, Boonton, NJ, owner of Junior's Pizza, introduced himself to the Board. Mr. Ahmedi was summoned to appear for receiving two Conditionally Satisfactory ratings in a 12-month period.

Inspector Kristin Caperino reported that she conducted the reinspection, but Inspector Romero, who conducted the initial inspection, found improper food handling and storage. Mr. Ahmedi said they were in the midst of installing all new shelving and reorganizing in the store when Inspector Romero arrived, and the next day everything was back in order. Mr. Ahmedi said he tries his best, the store has been there on and off for 27 years and they've never had an incident of anyone getting sick. Mr. Tiffinger asked how the reinspection went. Inspector Caperino reported that everything was fine and that two employees from Junior's were recently certified in Food Handling. Mr. Ahmedi said it's difficult to ensure his employees are doing everything correctly all the time and he tries his best. Mr. Tiffinger told Mr. Ahmedi that he has to do his best all the time in the store.

FUJIMr.

Lee Cao, 30 Buena Vista Drive, Ringwood, NJ, owner of Fuji, introduced himself to the Board. Mr.

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Cao was summoned to appear before the Board because a sushi chef was preparing sushi without being certified in food handling or food management, used improper hand washing techniques and the required logs were not being kept up.

Mr. Cao reported that the reason he wasn't in the restaurant the day Inspector Caperino was there was because of the snow, the sushi chef that was certified had a dead battery, Mr. Cao's car was in the shop and no other cars were available. Ms. Wilgus asked why someone was preparing sushi if no one with the proper training was present at the restaurant. Mr. Cao said he was expecting the sushi chef at 10:00 that day but he didn't show up until 12:00. Mr. Tiffinger said the bottom line is if there is no certified food handler or manager in the restaurant, sushi cannot be made and that, obviously, the employee wasn't told. Ms. Wilgus said that if there was a properly trained food handler on the premises, the person preparing sushi not wearing gloves would have been told he needs to put on gloves. Ms. Caperino said the sushi chef was wearing gloves; however, the chef didn't change the gloves after they became contaminated while he looking for the pH meter for the rice that could not be located. He also washed his hands for only about two seconds without using any soap. Inspector Caperino noted that Mr. Cao's partner, a Certified Food Manager, was in the back, where he was unable to supervise the uncertified sushi chef. Mr. Tiffinger said the uncertified employee cannot be making sushi unless he is certified.

Ms. Wilgus told Mr. Cao that it is not the piece of paper that is important but the knowledge the employee gains during the course that enables the employee to use proper food handling techniques, such as using gloves and proper hand-washing techniques. Dr. Danko spoke about fomites that are transferred to the food that is not cooked when proper food handling procedures are not followed. Mr. Cao said he has operated a sushi restaurant since 2010, that this is the first time he has had to come before the Board, he is a Certified Food Manager and he practices everything he learned at the course. Ms. Wilgus said he has to ensure his employees are following proper procedures as well. As Inspector Caperino observed the other day, Mr. Cao said his employee who is certified wasn't following proper procedures and Mr. Cao had to constantly correct him. Though the employees have been chefs elsewhere for seven or eight years, Mr. Cao said everything was practiced differently. Inspector Caperino said that if the employee took the Food Manager's Class, there is no other way to prepare sushi other than the way taught in the class. Mr. Cao said there is not a lot of process in preparing sushi and he thinks it is one of the safest foods to serve because temperature control is the only priority. Inspector Caperino said sushi is in the highest risk food category because it is not cooked. Inspector Caperino stressed proper hand-washing procedures and use of gloves. Mr. Cao said he is there everyday and is either making the sushi himself or providing supervision. Inspector Caperino said Mr. Cao assured her he would always be at the restaurant and that he or his partner would be preparing the sushi or supervising its preparation. This was not the case during the two inspections Inspector Caperino made in one week. Therefore, all employees must be certified. Mr. Cao said he needs another three months to see how his business doing to determine whether or not he is going to keep the uncertified employee. Mr. Tiffinger said the Board cannot allow him to have an employee uncertified in food handling or management preparing sushi. Inspector Caperino said that his business would be shut down if an uncertified employee is found preparing sushi. The uncertified employee must be signed up for the February 3rd class and cannot prepare sushi until he passes the course. Mr. Cao agreed to do so. Inspector Caperino added that there will be spot checks being done.

AMARILLO GRILLING

Mr. Ken Johnson, 40 Mohawk Avenue and owner of Amarillo Grilling, introduced himself to the Board. Mr. Johnson appeared before the Board as a result of receiving a letter stating he needs to obtain a food license for operating a catering business in Oakland. Mr. Johnson said he is a part-time personal chef, works full-time as the sandwich chef at Nicholas Markets in North Haledon, purchases the food with his clients, prepares the food at his client's house and asked why he needs to be licensed. Mr. Johnson invited the Board members to stop by his house anytime because there is no food preparation being done there.

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Mr. Johnson went through his menu and responded to the Board's concerns, item by item. Mr. Johnson said all the smoking is done at the client's house, on the client's grill and on his portable Weber grill, if needed, despite the fact that his menu indicates food is smoked for 12 hours. The food described as having been marinated for 12 hours is purchased packaged and pre-seasoned from Restaurant Depot. The prepared salads are purchased from Restaurant Depot or from Nicholas Markets. Mr. Johnson said he arrives at clients' homes at 6:00 to 7:00 a.m. and does not book any parties before 3:00 PM. The food is smoked for a lesser period of time than indicated on his menu because it is smoked at a higher temperature. Mr. Johnson said he is going to change his menu to remove the information the Board is finds problematic and that no food is being prepared or stored at his home. The lobsters are purchased the day of the event and are transported in coolers packed with ice. The smoker Mr. Johnson said in the driveway was used one time, cannot be transported and is currently up for sale.

Dr. Mangieri asked why Mr. Johnson has two separate menus, a "Private In-Home Menu" and a "Catering Menu", if he is not catering. Mr. Talucci said the issue could be a matter of semantics. Mr. Johnson said he would change his menu. He also said that he has a ServSafe Food Manager Certification. Ms. Dubowick noted that the certification he provided to the Health Department last year was for food handling. Mr. Johnson said he was certified as a food manager in November or December of last year and will drop off a copy to the Board next week.

Since Mr. Johnson said he is not preparing food at home or in a commercial kitchen the Board agreed that licensing is not required.

MEETING CLOSED TO THE PUBLIC

On motion of Mr. Ostapczuk, seconded by Ms. Blanco, the meeting was closed to the public.

Roll Call: All Yeas – Ms. Blanco, Dr. Danko, Mr. Ostapczuk, Mr. Talucci, Mr. Tiffinger, Ms. Wilgus

ADULT HEALTH CLINIC CLIENT CHARTS

An e-mail was sent to Public Health Nurse Coordinator Jane Clementi at Valley Hospital inquiring about what needs to be done in order to obtain copies of the Adult Health Clinic client charts. Ms. Clementi called and stated that since Adult Health Clinic charts belong to Valley Hospital each client will have to complete a release that must be submitted to the hospital and there is a fee for each copy. During a telephone conversation with Ms. Dubowick, Ms. Clementi reported that not much more than blood pressures, pulse readings and weights were recorded in the charts and each client has a card on which this information is recorded, so there wouldn't be much of a need for the charts themselves.

Dr. Mangieri said the Borough paid for the files. They belong to the Borough because the Borough paid the nurses to deliver the service, not the Hospital. The Adult Health Clinic clients are not patients of the Hospital, have not been issued patient numbers and did not attend a Valley Hospital clinic. Dr. Mangieri said the clients were serviced in Oakland and it is standard practice for the town to keep the client charts in order to provide continuity of care. If the Hospital wants to keep the charts, they can make copies and keep the originals. The Board gave Dr. Mangieri permission to connect with Valley Hospital on the Board's behalf to obtain copies of the charts.

2014 WALDWICK INTER-LOCAL AGREEMENT FOR CHILD HEALTH CONFERENCE SERVICES

As previously reported, there were no changes in this Agreement from 2013. The Agreement must be executed by the Board of Health and the Mayor and Council.

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On motion of Ms. Blanco, seconded by Ms. Wilgus, the Board approved the 2014 Waldwick Inter-Local Agreement for Child Health Conference Services and authorized Mr. Tiffinger to execute same.

Roll Call: All Yeas – Ms. Blanco, Dr. Danko, Mr. Ostapczuk, Mr. Talucci, Mr. Tiffinger, Ms. Wilgus

ANY OTHER BUSINESS

On motion of Mr. Ostapczuk, seconded by Ms. Wilgus, Appointment of Board of Health Attorney under the Reorganization portion of the meeting was tabled till next month and the Reorganization Portion of the Meeting was adjourned at 9:00 PM

Roll Call: All Yeas - Ms. Blanco, Dr. Danko, Mr. Ostapczuk, Mr. Talucci, Mr. Tiffinger, Ms. Wilgus

Mr. Ostapczuk was given an Oath of Office to have notarized at Borough Hall.

BERGEN COUNTY 2014-2015 CONTRACT FOR PUBLIC HEALTH SHARED SERVICES

Two amendments to the Contract requested by Mr. Tiffinger were addressed by Dr. Mangieri. The first requested amendment was to change the definition of a unit of R.E.H.S. Service back to what was used in all previous contracts, i.e., 6.5 hours of service per day. In the 2014-2015 Contract a unit of R.E.H.S. Service is defined as “6.5 hours per week.” Dr. Mangieri said the County can no longer provide a unit of service in a 6.5 hour day, so the definition cannot be amended. Dr. Mangieri assured the Board that the service will be provided and the Borough will not pay for one hour of service that has not been provided. Furthermore, never again will the routine food establishment inspections be done after October 31st. The inspections will be done by October 31st. Dr. Mangieri also said she doesn’t want the town to be paying for any more R.E.H.S. service hours than needed. Mr. Tiffinger said the Board wants and needs the hours requested because the number of times our food establishments are inspected has a direct impact on the number of conditionals seen in the town’s food establishments. Dr. Mangieri said she will check to be sure the County can provide the full 7.5 Units of R.E.H.S. Service.

The second requested amendment was a requirement to provide the Borough a Public Health Nursing Report of Activity by the 10th of each month. Dr. Mangieri said this is standard practice. Ms. Mantello has provided a sample of the Report to Ms. Dubowick which was found acceptable.

With confirmation that the County can provide the 7.5 Units of Service, the Board will recommend that the Mayor and Council execute the contract.

ADJOURNMENT

On motion of, Mr. Talucci, seconded by Ms. Wilgus, the meeting was adjourned at 9:15 PM.

Roll Call: All Yeas – Ms. Blanco, Dr. Danko, Mr. Ostapczuk, Mr. Talucci, Mr. Tiffinger, Ms. Wilgus

APPROVED:

Stephen C. Tiffinger, President

ATTEST: _____
Karin Kennedy Dubowick, Secretary

DATE: _____