

REGULAR MEETING OF THE OAKLAND BOARD OF HEALTH

October 21, 2014 - 7:30 p.m.

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

REGULAR BUSINESS

CALL TO ORDER

Mr. Tiffinger called the meeting to order at 7:35 PM.

Roll Call: Mr. Ostapczuk, Mr. Talucci, Mr. Tiffinger, Ms. West.

ABSENT MEMBERS

Ms. Blanco, Dr. Danko, and Ms. Wilgus were absent from the meeting. Ms. Blanco was absent due to a family matter. Though Dr. Danko and Ms. Wilgus have verbally resigned from the Board, formal resignation letters have yet to be received. The Board directed Ms. Dubowick to contact both Board members to request written resignations.

Motion of Mr. Ostapczuk, seconded by Ms. West, the absent members were excused from the meeting.

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

OTHERS PRESENT

Council Liaison Pasquale Pignatelli, Thomas J. Romans, Esq. and Senior R.E.H.S. Deborah McGrath

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

It was noted that pages were missing from the minutes; therefore, on motion of Mr. Ostapczuk, seconded by Mr. Talucci, the September minutes were tabled until the November meeting.

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

REVIEW REPORTS

The Board reviewed the following reports:

- Sanitarian's (REHS') Report – September
- Secretary's/Registrar's Report – September
- Tyco Animal Control Report – September
- BCDHS Public Health Nursing Activity Report – September
- BCDHS School Audit Reports
-

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

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

PAYMENT OF BILLS

9/30/14 – Karin Dubowick (Reimbursement for Continuing Education Fees)	\$ 25.00
10/1/2014 – Pet Rest in Peace Memorial Cemetery & Crematory (Cremate deer – 28 Overlook Ridge)	\$ 90.00
10/1/2014 – Tyco Animal Control (Monthly Animal Control Services for October, per contract)	\$1,200.00
10/1/2014 – Tyco Animal Control (Animal Control Emergency Calls for October (3), per contract)	\$ 180.00
09/15/2014 – Thomas J. Romans, Esq. (For professional services rendered during the month of September, per contract)	\$ 212.50
10/21/2014 – Thomas J. Romans, Esq. (For professional services rendered during the month of October, per contract)	\$ 212.50

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

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

UNFINISHED BUSINESS

DAVID ZUIDEMA, INC. – A & A SEPTIC SERVICE

It was reported that a response to Mr. Romans' letter had yet to be received. Mr. Romans said he did not expect to receive a response, rather the letter had put Mr. Zuidema on notice that we would be monitoring the situation very closely.

IHHS SNACK STAND

It was reported that Dr. Mangieri approved the offering of an evening Food Handler's class at Indian Hills High School for the parents who run the snack stand. Inspector Caperino was informed that the parents had to be certified by September 1st, so they took an alternate course.

MEETING OPENED TO THE PUBLIC

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

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

OAKLAND CHINESE CUISINE

The owner of this establishment was summoned to appear before the Board for having three Conditionally Satisfactory ratings in a 12-month period. Ms. Dubowick was asked to read back Inspector Caperino's report from last month's meeting:

"Mr. Xiang Cao, the owner of this establishment, was summoned to appear before the Board due to receiving three Conditionally Satisfactory ratings in a 12-month period. Inspector Caperino said the violations were different during this inspection and that it appeared an employee had left because the owner is back. The establishment was cited for not sanitizing properly. When Inspector Caperino asked Mr. Cao to show her how he sets up the three-compartment sink he had no idea how to do so, despite the fact that he was a certified Food Manager. They didn't have any bleach on the premises. The wife left to purchase bleach during the

Regular Meeting of the Oakland Board of Health – October 21, 2014 – Page 3

inspection. Inspector Caperino went over the rinse, wash and sanitize steps with the owner and, upon reinspection, found the establishment satisfactory.”

Mr. Xiang Cao of 19 Aspen Way in Oakland and owner of the establishment introduced himself to the Board. Mr. Cao’s son, Lee Cao, spoke for his father. Mr. Cao apologized on behalf of his father for not appearing at last month’s meeting. He said his father misread the date of the meeting on letter he received. Mr. Cao called the Health Dept. first thing the following morning to explain and apologize for not appearing. Mr. Tiffinger said his father cannot continue to get Conditionals. It is unacceptable. Mr. Cao noted that all the violations had been corrected. Mr. Tiffinger said Inspector Caperino will continue to keep a watch over the establishment and will write summonses again, if necessary. Mr. Cao said his father would stay on top of everything.

NEW BUSINESS

FUJI

Mr. Lee Cao of 30 Buena Vista, Ringwood and owner of the establishment introduced himself to the Board. Mr. Cao was summoned to appear before the Board for having three Conditionally Satisfactory ratings in 12 months. Inspector McGrath reported that Mr. Cao was issued three summonses, one for employees touching ready-to-eat food with bare hands, another for failure to keep accurate records of pH testing and the last for a person in charge failing to demonstrate knowledge of food safety. Mr. Cao was fined \$500.00 for each count for a total of \$1,500.

Mr. Cao explained that he was cited for not washing hands properly, not knowing how to set up the three-compartment sink and touching ready to eat food with bare hands. Inspector McGrath said he was also cited for not keeping accurate pH records for the rice. Mr. Cao said the pH was about same every day because, for about nine months, he was using the same amount of rice and vinegar. When they changed the amount of rice they were making, the pH changed. Now it’s different all the time. When the inspector came in it was 4.8 and it was supposed to be below 4.6. Inspector McGrath said the establishment was satisfactory at the last inspection. Mr. Tiffinger told Mr. Cao he must stay on top of everything, follow the law and pass his inspections or he is going to continue to get summonses.

WALDWICK CHC

Ms. Dubowick reported that since the inception of the CHC, the program has been designed for uninsured children in the infant to pre-K age group. In 2008, the state adopted a new vaccination requirement for 6th graders, the Tdap and Meningococcal vaccinations. Waldwick Public Health Nurse Carol Shephard notified Ms. Dubowick of the new requirement which was brought before the Board. The Board sent a letter to Ms. Shephard authorizing her to administer the Tdap and Meningococcal vaccinations to 6th grade children with no insurance coverage.

Ms. Shephard is here tonight to discuss the status of the CHC and federal Vaccines for Children Program through which vaccine is obtained and a change that had not been communicated, i.e., that the clinic was opened up to teen-agers.

Ms. Shephard spoke about the history of the CHC and how the age of the participants has changed. Attendance has dropped to only a few children. The children who come now have no other place to go for immunizations and some come to the U.S. with no records. The Federally Qualified Health Center in Garfield charges a fee and is not around the corner. The CHC is now the last resort for the population in need. As many immunizations as may be administered at once are given at one appointment. Ms. Shephard said it is in the best interest of public health to ensure these children are vaccinated and in school where they belong. The

Regular Meeting of the Oakland Board of Health – October 21, 2014 – Page 4

town is charged a total of \$20.00 for all of the immunizations administered during a child's visit. Ms. Shephard does not see the participation in the program growing to any great degree and said she is well aware of keeping costs down.

The Board agreed with Ms. Shephard and authorized her to open the program to the full age group (up to the 19th birthday) to ensure children are properly vaccinated and in school. Ms. Dubowick asked if the nurses should now contact Ms. Shephard directly and the Board responded affirmatively.

Ms. Shephard thanked the Board and said she would notify Ms. Dubowick if she sees an uptick in attendance.

MEETING CLOSED TO THE PUBLIC

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

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

BARNSTABLE ACADEMY

Inspector McGrath reported that food is no longer prepared at the school. They buy premade sandwiches and salads from ShopRite. For the last 10 years, the Manager has been the Certified Food Manager but her certificate is expiring this fall. She needs to recertify in order to relicense. Due to a recent surgery, the Manager is under doctor's orders to not sit for any length of time; therefore, she is unable to take any of the food courses. The Manager is asking for an exemption from the food course requirement for 2015 licensing. Since the school no longer prepares food, they no longer need a Certified Food Manager, only a Food Handler.

The Board discussed the matter and, on Inspector McGrath's recommendation, decided that the school be allowed to renew their license in 2015 without a current certification but the manger must recertify by the end of next year.

ANY OTHER BUSINESS

CESSPOOL POLICY

It was reported that there is a need for a policy regarding the sale of homes with cesspools to give to home buyers and sellers. Many of the homes in Oakland have cesspools that must be replaced at time of sale. In order to prevent the home from being sold with a cesspool, Fire Inspector Ralph Porrino and Inspector McGrath agreed to add a Health Department form to the CCO Application. The completed form is submitted by the home buyer or seller to the Health Department to check if there is a cesspool on the property. If there is, it must be replaced before Inspector McGrath grants approval. The CCO inspection is not scheduled until Mr. Porrino receives an approved form from the Health Department.

Under certain circumstances, such as when major renovations will be done to the house that will prevent the buyer from moving in or if the house is bank-owned, the Health Department grants a waiver, allowing Mr. Porrino to issue a TCO so the realty transfer can take place. Prior to signing the form, Inspector McGrath obtains from the buyer's attorney a letter stating that major renovations are being done to the house and the buyer will not move in until the renovations are done, a new septic is installed and all necessary inspections are done. The problem is that TCO's are also being issued for homes that are only having bathroom and/or kitchen renovations done, renovations that would not prevent the buyer from moving in.

Council Liaison Pignatelli said TCO's should not be issued because if the buyer moves in and fails to replace the septic, no judge in the State of New Jersey will force anyone out of a home. Furthermore a TCO is not needed to do construction work, only a building permit is required. Council Liaison Pignatelli recommended that Mr. Porrino

Regular Meeting of the Oakland Board of Health – October 21, 2014 – Page 5

speak to Code Official Dan Hagberg to find out what may be legally done. Inspector McGrath will prepare a recommendation.

ADDITION/BEDROOM POLICY

A question was raised about whether addition plans may be approved by the Health Department when there is an increase in the number of rooms that can conceivably be used as bedrooms (rooms with a door and egress window) without the septic being expanded.

The Health Department has approved plans if the homeowner submits a notarized letter stating the house will be marketed as having only the number of bedrooms the septic can support. Other times, the plans have been denied and the homeowner was forced to expand the septic system. Council Liaison Pignatelli said the septic must support the number of bedrooms or rooms that can be used as bedrooms or the plans cannot be approved. The only way around that is if the door and framing are removed, creating an archway, so it no longer meets the definition of a bedroom.

ADULT HEALTH CLINIC

Senior Center Director Rose Burik submitted a request to change the day and time of the Adult Health Clinic in 2015, from 1 PM to 3 PM on the second and fourth Thursdays, to 10 AM to Noon on two Tuesdays a month. The Board discussed the matter and approved the change but for only the first six months of the year. An evaluation is to be conducted mid-year to ensure the change has not negatively impacted participation because the town will not pay for a clinic attended by only a few people.

REHS SERVICE HOURS STATUS –BERGEN COUNTY BILL FOR 2ND HALF 2014

Based on the September 2014 Monthly Sanitarian's Report, the County is nearly 200 hours short in providing REHS service to Oakland, a shortage that is expected to increase by the end of the year. Since BCDHS' bill for services provided during the 2nd half of 2014 is due on November 28th, the Board discussed how to handle payment when the County is in breach of its contract. It was agreed that, just as was done when this problem occurred last year, a letter will be sent to the County stating they are in breach in contract and payment will be withheld until after the 1st of the year when a bill based on the exact number of hours can be provided.

Mr. Tiffinger said the County is trying to tell Oakland how many REHS hours are needed because they cannot provide the hours Oakland has requested. Council Liaison Pignatelli said the Board may have to look into other contracted services or the Borough may have to hire their own inspectors. Mr. Tiffinger said the process has already started.

BERGEN COUNTY COMMUNITY HEALTH AND NEEDS ASSESSMENT IMPROVEMENT PLAN

Mr. Tiffinger announced that he had received and read the plan which contains some nice maps. The Plan is available for anyone interested in reading it. Ms. Dubowick was asked to bring it back to next month's meeting.

EBOLA

Mr. Ostapczuk raised this subject and asked if the Board has any plans to do anything. Mr. Tiffinger said he has received numerous messages about Ebola through LINCIS and asked if any of the other Board members had read them. Council Liaison Pignatelli said, under the Emergency Health Powers Health Act, the Board has quarantine power. Mr. Ostapczuk said perhaps we need to look at the situation and decide what, if anything, the Board needs to do to prepare. Mr. Talucci said the hospitals have been preparing. Mr. Ostapczuk said, for example, what if the Health Department gets a call from a resident saying, "My neighbor has Ebola. What should I do?" Since professionals may be traveling to that area and coming back, it is a

Regular Meeting of the Oakland Board of Health – October 21, 2014 – Page 6

possibility. Mr. Ostapczuk was concerned that the Board has some responsibility and needs to be prepared. Council Liaison reiterated that the Board of Health's only responsibility is to quarantine. Inspector McGrath said any calls we receive would be directed to the County's public health nurses, since the County is Oakland's health department.

Council Liaison Pignatelli suggested putting together an educational packet. Mr. Tiffinger said we have already put up on the website links to information on Ebola on NJ Department of Health and the CDC websites. Ms. West asked about keeping track of people that are quarantined. Council Liaison Pignatelli said the County's public health nurses would be responsible for that. All calls about Ebola would be referred to the County. Mr. Tiffinger said the talking points on Ebola were sent to everyone via LINCOS. Mr. Pignatelli suggested that Ms. Dubowick make a copy and send them to everyone. Mr. Tiffinger said he did not need one because he already has the information. Mr. Ostapczuk felt we should have something official for the public and Mr. Tiffinger said we have the talking points. Mr. Ostapczuk said Board members are regularly asked questions by the public and suggested making it an action item on next month's agenda. Mr. Romans asked about EV-D68. Ms. Dubowick noted that all the information we have received on EV-D68 through LINCOS has been forwarded to all the schools. This subject will be added to next month's agenda, as well.

ADJOURNMENT

On motion of Mr. Talucci, seconded by Mr. Ostapczuk, the meeting was adjourned at 9:53 PM.

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

APPROVED:

Stephen C. Tiffinger, President

ATTEST: _____
Karin Kennedy Dubowick, Secretary

DATE: _____