

REGULAR MEETING OF THE OAKLAND BOARD OF HEALTH

May 16, 2017 - 7:30 p.m.

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

CALL TO ORDER

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

ROLL CALL

Ms. Ashkenazi, Mr. Ashkenazi, Mr. LaForgia, Mr. Pignatelli

ABSENT MEMBERS

Mr. Tiffinger and Ms. West were absent due to vacation.

On motion of Ms. Ashkenazi, seconded by Mr. Ashkenazi, Mr. Tiffinger's and Ms. West's absences were excused.

Roll Call: All Yeas – Ms. Ashkenazi, Mr. Ashkenazi, Mr. LaForgia, Mr. Pignatelli

OTHERS PRESENT

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

MEETING ANNOUNCEMENT

Mr. Pignatelli announced that the meeting was being held in accordance with the regulations of the Public Meeting Law, notices of which were sent to The Record, Suburban Trends and any other persons requesting same.

REGULAR BUSINESS

ADOPTION OF MINUTES

On motion of Mr. LaForgia, seconded by Ms. Ashkenazi, the January minutes were tabled due to a lack of quorum of members present at the meeting.

Roll Call: All Yeas – Ms. Ashkenazi, Mr. Ashkenazi, Mr. LaForgia, Mr. Pignatelli

On motion of Ms. Ashkenazi, seconded by Mr. LaForgia, the February minutes were tabled due to a lack of Quorum of members present at the meeting.

Roll Call: All Yeas – Ms. Ashkenazi, Mr. Ashkenazi, Mr. LaForgia, Mr. Pignatelli

7:35 PM – Mr. Talucci entered the meeting.

The Board reviewed the March minutes.

On motion of Mr. Talucci, seconded by Mr. Pignatelli, the March minutes were approved.

Roll Call: All Yeas - Mr. LaForgia, Mr. Pignatelli, Mr. Talucci, Mr. Tiffinger. Ms. Ashkenazi and Mr. Ashkenazi abstained.

REVIEW REPORTS

The Board reviewed the following reports:

Regular Meeting of the Oakland Board of Health – May 16, 2017 – Page 2

- BCDHS Public Health Nursing Activity Report – March & April
- CDRSS Report – March & April
- REHS' Monthly Report – March & April
- Secretary's/Registrar's Report – March & April
- Tyco Animal Control Report – March & April

Ms. Ashkenazi raised the subject of Powassan virus, a tick-borne disease carried by the same tick that carries Lyme. Powassan virus, though rare, can be fatal. Mr. Romans asked if something should be put on the website about it. The Board discussed the matter and directed Ms. Dubowick to put information about Powassan virus on the website.

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

Roll Call: All Yeas – Ms. Ashkenazi, Mr. Ashkenazi, Mr. LaForgia, Mr. Pignatelli, Mr. Talucci

PAYMENT OF BILLS

The Board reviewed the following bills:

3/7/2017 – NJ Registrar's Assn. (2017 Registrar Dues – K. Dubowick)	\$ 25.00
3/31/2017 - North Jersey Media Group (Advertise BOH Ord. #16-CODE-93)	\$ 139.68
3/21/2017 – Thomas J. Romans, Esq. (For professional services provided, per 2017 Contract – attend 3/21/17 BOH Meeting – meeting canceled)	\$ 221.92
4/1/2017 – Tyco Animal Control (March 2017 Animal Control Services)	\$ 1,275.00
4/1/2017 – Tyco Animal Control (March 2017 Animal Control Emergency Responses – Two)	\$ 120.00
5/1/2017 – Tyco Animal Control (April 2017 Animal Control Services)	\$ 1,275.00
5/1/2017 – Tyco Animal Control (April 2017 Animal Control Emergency Responses – Two)	\$ 120.00
5/10/2017 – MGL Printing Solution (Marriage Envelopes & Minute Book)	\$ 144.00
5/16/2017 – Thomas J. Romans, Esq. (Attend 5/16/2017 Board of Health Meeting)	\$ 221.92

On motion of Mr. LaForgia, seconded Ms. Ashkenazi, the Board approved the bills for payment.

Roll Call: All Yeas – Ms. Ashkenazi, Mr. Ashkenazi, Mr. LaForgia, Mr. Pignatelli, Mr. Talucci,

UNFINISHED BUSINESS

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

Roll Call: All Yeas - Ms. Ashkenazi, Mr. Ashkenazi, Mr. LaForgia, Mr. Pignatelli, Mr. Talucci

OAKLAND PIZZA

Mr. Pignatelli asked the owner to state his name and address. Mr. Christopher George, 133 Center Street, Pompton Lakes, NJ introduced himself and apologized for showing up at last month's meeting. He said he didn't receive the letter summoning him to appear. Mr. Pignatelli noted that Mr. George was summoned to appear before the Board for having received two Conditionally Satisfactory ratings within a 12-month period.

Inspector Caperino reported that she did not conduct the inspection, rather Inspector Meeker did so and many hand-washing violations were found. She said employees were not washing their hands and believed one of the hand-washing sinks was blocked. Mr. George said he was in the front making pies and the sink was not blocked, rather someone washed his hands in the dishwashing sink. Another issue was that an employee reached into a partially thawed block of shrimp that was defrosting in water to churn up the shrimp as the block was partially broken apart. Mr. Pignatelli asked if the water was running and Mr. George indicated it was. The employee then went back on the line without first washing his hands. Mr. George said this employee had been with him forever and that he has reviewed with his employees which sink is for vegetables, which is for dishes and which is for hand washing. He also put bigger paper towel and soap dispensers over the sink.

Mr. George went on to say that his employees are aware of what they are supposed to be doing. He is there six days a week and has no excuses for the Board. One of the offending employees is no longer there and four people other than himself are certified in food courses. Mr. George is certified in Food management and his employees went to the Food Handler's Course. He had additional employees certified so more eyes can be watching what is going on. Mr. George said he has worked at the establishment since he was 15 years old and had never had a problem until his last few inspections. Mr. George said he knows the Board is not happy with him and that he is not happy about the situation either. Mr. George told his employees that whoever is responsible is going to be out, that they know what they are supposed to do and they need to do it. He has no excuses and tries to do what is right.

Mr. Pignatelli said people all make mistakes and the most important thing is to point out the mistake so the employee knows and acknowledges the mistake to avoid making it again. Mr. George said he walks around the restaurant and watches, asking questions and reminding employees about proper procedures. For the most part the employees are good about doing what they are supposed to do. Mr. George said he knows if someone gets sick as a result of what one of his employees does, it will do more damage to him than anything the Board can do. Mr. Pignatelli said that is also the Board's intention – to prevent people from getting sick, not to hit restaurateurs over the head. Mr. George said his biggest problem is high turnover. Employees do not want to do what they have to do because it is too much work. They leave in the summer to do landscaping work and come back in the fall. Mr. Pignatelli thanked Mr. George for coming and said he certainly does not want to see him back here again. He also said, unlike Mr. George, some retailers do not realize that the Board can take their license away which is not what the Board wants to do because prospering business are good for the town. Mr. Pignatelli again thanked Mr. George for coming.

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

Roll Call: All Yeas - Ms. Ashkenazi, Mr. Ashkenazi, Mr. LaForgia, Mr. Pignatelli, Mr. Talucci

EMERGENCY PREPAREDNESS DVD'S

Mr. LaForgia reported that he reached out to his contacts and did not get the responses he had hoped for. His contacts have not gotten back to him. Mr. LaForgia also reached out to Oakland OEM Coordinator Mr. Bauberger and got some material from him. Mr. Bauberger also spoke about wanting to do a POD exercise in town. Mr. LaForgia will continue to follow up with his contacts.

INTRODUCE ORDINANCE #17-CODE-94 AMENDING THE RETAIL FOOD EST. CODE

Mr. Pignatelli, directed Ms. Dubowick to take Ordinance #17-CODE-94 from the table and read same for first reading.

AN ORDINANCE TO AMEND CHAPTER BH:II OF THE BOROUGH OF OAKLAND BOARD OF HEALTH CODE "RETAIL FOOD ESTABLISHMENTS"

BE IT RESOLVED THAT AN ORDINANCE ENTITLED, "AN ORDINANCE TO AMEND CHAPTER BH:II OF THE BOROUGH OF OAKLAND BOARD OF HEALTH CODE "RETAIL FOOD ESTABLISHMENTS" be introduced and pass first reading and that the Board of Health does hereby fix the date of June 20, 2017 at 8:00 PM prevailing time at the Municipal Building, Municipal Plaza, Oakland, NJ as the place for the hearing of all persons interested therein, and

BE IT FURTHER RESOLVED that the Secretary of the Board of Health give notice of the time and place where said hearing will be given thereon.

On motion of Mr. Talucci, seconded by Ms. Ashkenazi, the Board introduced Ordinance #17-CODE-94.

Roll Call: All Yeas – Ms. Ashkenazi, Mr. Ashkenazi, Mr. LaForgia, Mr. Pignatelli, Mr. Talucci

NEW BUSINESS

TWA PERMIT REVIEWS

Inspector Caperino reported that the NJDEP sent an advisory to local health departments regarding a change in the TWA Permit application review process due to a lack of resources at the state level to conduct reviews. Buildings that discharge over 2,000 gallons of effluent per day and building expansion projects where septic setbacks cannot be met require a state TWA Permit. Obtaining a TWA Permit approval from the state can take up to a year.

It was initially thought the local health department would be required to review all TWA Permit applications. Since the TWA Permit Application review process would increase the REHS' workload, Mr. Tiffinger and Borough Administrator Kunze were made aware of the change. A meeting was held with Mr. Tiffinger, Mr. Kunze, Principal REHS Marjorie Vanacore, Senior REHS Kristin Caperino and Ms. Dubowick to discuss the possibility of adopting a new Board of Health fee to cover the added cost for REHS septic services. It was agreed that \$350 should be adequate. After the meeting took place, Principal REHS Vanacore received further clarification from the state and learned the state will continue to review projects with over 2,000 gallons per day of discharge and the local health department will be responsible only for reviews expansion projects that don't meet setbacks. The state will grant final approval on all projects.

Ms. Caperino explained that expansion projects encroaching on neighboring septic systems limit the neighbors from being able to expand their homes. This was of concern to the Board and Ms. Caperino was asked if the neighbors are notified when a TWA application is being reviewed. Ms. Caperino said these projects typically require a variance so it is discussed at the hearing. Since the surrounding neighbors are notified of the hearing, they have an opportunity to attend.

Regular Meeting of the Oakland Board of Health – May 16, 2017 – Page 5

Mr. Pignatelli felt the transfer of the review process from the state to the local authority is to help expedite residents' applications because the state is so understaffed. Mr. LaForgia agreed.

With the economy picking up, Inspector Caperino said she is seeing a lot more activity with commercial properties but TWA Permit applications for these projects will be reviewed by the state, not the local health department. Ms. Kristin was aware of only a couple of residential TWA Permits submitted for properties in Oakland in recent years. With the housing market picking up and many home expansions currently being done, she feels it will be a race for homeowners to expand their systems before the neighbors do so. Ms. Caperino does not know how this will play out.

Mr. Pignatelli suggested waiting until the end of the year to get a better idea of the impact this change will have on the REHS' workload so the Board can better assess whether any action is needed.

ANY OTHER BUSINESS

It was reported that the Bergen County health educators are available to set up tables and disseminate health education materials at events held by contracting towns. Ms. Dubowick asked if the Board would like these arrangements made for the upcoming town carnival.

Mr. Pignatelli's experience with distributing health education materials in this manner had been that it is just collected and discarded. He had far better success presenting a health education topic to a captive audience. Mr. Pignatelli said he feels the Board of Health's webpage does a far better job of getting information out to the public than distributing health education materials at the town carnival and, therefore recommended against bringing in the County's health educators. The other members of the Board concurred.

ADJOURNMENT

On motion of, Mr. LaForgia, seconded by Mr. Talucci, the meeting was adjourned at 8:34 PM.

Roll Call: All Yeas – Ms. Ashkenazi, Mr. Ashkenazi, Mr. LaForgia, Mr. Pignatelli, Mr. Talucci

APPROVED:

Pat Pignatelli, Vice President

ATTEST: _____
Karin Kennedy Dubowick, Secretary

DATE: _____