

REGULAR MEETING OF THE OAKLAND BOARD OF HEALTH

February 15, 2022 - 6:30 p.m.

Oakland Public Library, Municipal Plaza, Oakland, NJ

REGULAR BUSINESS

CALL TO ORDER

Mr. Tiffinger called the meeting to order at 6:33 PM.

Roll Call: Ms. Ashkenazi, Mr. Ashkenazi, Mr. LaForgia, Mr. Laterra, Mr. Provenziale, Mr. Talucci,
Mr. Tiffinger

Others Present

Council Liaison Pasquale Pignatelli, Sophy Sedarat, Esq. and Chief REHS Laura Folco

MEETING ANNOUNCEMENT

Mr. Tiffinger read the meeting announcement: This meeting is 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

On motion of Ms. Ashkenazi, seconded by Mr. Ashkenazi, the Reorganization and January meeting minutes were adopted.

Roll Call: All Yeas – Ms. Ashkenazi, Mr. Ashkenazi, Mr. LaForgia, Mr. Laterra, Mr. Provenziale,
Mr. Talucci, Mr. Tiffinger

REVIEW REPORTS

The Board reviewed the following reports:

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

On motion of Mr. Provenziale, seconded by Mr. LaForgia, the reports were accepted.

Roll Call: All Yeas – Ms. Ashkenazi, Mr. Ashkenazi, Mr. LaForgia, Mr. Laterra, Mr. Provenziale,
Mr. Talucci, Mr. Tiffinger

PAYMENT OF BILLS

The Board reviewed the following bills:

Services to be Charged to the 2022 Budget

2/1/2022 – Tyco Animal Control
(Animal Control Services for January, per 2022 contract)

\$ 1,325.00

2/1/2022 – Tyco Animal Control

\$ 60.00

(Emergency Animal Control Services for January, per 2022 Contract)

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

Roll Call: All Yeas – Ms. Ashkenazi, Mr. Ashkenazi, Mr. LaForgia, Mr. Latera, Mr. Provenza, Mr. Talucci, Mr. Tiffinger

UNFINISHED BUSINESS

No unfinished business.

NEW BUSINESS

CUCINA 347 CONDITIONAL STATUS

The owner of Cucina 347, Gaetano Gencarelli, introduced himself to the Board and stated that he resides at 44 Anderson Parkway in Cedar Grove.

Mr. Tiffinger stated that Mr. Gencarelli is appearing before the board because Cucina 347 had 2 Conditional statuses in the past 12 months, due to cross-contamination. Mr. Tiffinger stated that this has been an ongoing problem that has come up in the past also in regard to this property. He asked Ms. Folco if she had the report from the most recent inspection of the restaurant by the Health Inspector.

Ms. Folco stated that the basement prep area seems to be a point of contention because there could not be a sink installed in that area due to a septic issue and that parameters were laid out as to what would be acceptable in the basement work area during the original inspection of the restaurant by the Health Inspector at that time, and that when the Health Inspectors have returned the parameters have not been followed.

She stated that Mr. Gencarelli must keep his menu within the original parameters that were outlined during the original inspection, due to the fact that the restaurant is on septic so an extra sinks may not be installed in that area.

Ms. Folco asked if he has a dual kitchen and prep area in the basement.

Mr. Gencarelli stated that there is a full main kitchen on the first level, and downstairs is storage and walk-in box, but because of the septic not being able to support a fixture, they can only use the space for specific kinds of preparation, such as making dough and sauces, and some vegetables and chicken are sometimes cut there. He said that the Health Inspector did originally tell him that he could make dough and sauces down there.

Ms. Folco stated that he may not do any food prep that was not specifically permitted by the original Health Inspector. She stated that the hand sinks are considered by gallons per day and there is a mathematical formula of water use for different types of sinks. Unfortunately, the septic does not have the capacity for another sink to be added according to the formula. She said that the menu must remain in the same volume as the capacity can handle, unless the landlord replaces the septic to accommodate another sink, because otherwise he will be sacrificing safety.

Mr. Gencarelli said that originally the architect had made the plan to renovate the space, but when they were going to consider adding the sink, they did not get the engineer's calculation, as it would have required them to redesign the entire plan to code for that.

Ms. Folco said that for the septic you need to consider all the businesses that are using the septic, not just one business. Mr. Gencarelli stated that Cucina 347 has its own septic, which he pays to service and maintain, but

to make improvements he would need to discuss that with the landlord. He said that he would be willing to explore that now.

Ms. Folco added that because the area is in the basement they would need to pump up, so an ejector pump would also need to be added which would increase the amount of water.

Mr. Gencarelli asked if he could possibly utilize a portable hand washing station that is maintained weekly by a septic company. She responded that she would be willing to submit the plan to the state, but it is beyond the code which only allows for that type of use for temporary events, such as 1-day events.

Mr. Gencarelli asked what upgrading a septic requires. Mr. Tiffinger responded a tank and a pit, and that the property may even have a pit. Ms. Folco stated that there would have to be plans drawn up by a septic engineer stating what is there, and proposing exactly how many gallons would be used per day and what new fixtures would be added, and once approved he could get a licensed septic contractor; however, he would need to do this with his landlord since it is his property.

Ms. Folco said that in the meantime he has to shrink the volume to fit the capacity.

Ms. Sedarat asked if the layout could be re-envisioned to sustain a greater capacity. Mr. Gencarelli said that the renovations would be very costly, more likely than to change the septic. He stated that he did already invest money into upgrading the facility already to make it a nicer place in the town.

Ms. Sedarat suggested that all permanent options should be explored first before any temporary solution should be discussed because allowing a temporary portable sink that could be maintained weekly would create a precedent that may prompt many other businesses and possibly residents to do the same. It would be difficult to justify allowing it here, but not with the other businesses and residents. Additionally, there has been an issue with the septic at this property for many years, including with the business previous to Cucina 347. She feels that the permanent options have not been explored sufficiently to pursue a temporary solution and it would be advisable to explore that avenue first to solve the problem in a permanent way, not short-term. She said that she would caution the precedence that a dual path (both short-term and long-term solution) would create also. She suggested finding out the true cost for a permanent solution and speaking to the landlord regarding the cost to see if he is willing to go forward with that. She said that perhaps he could temporarily expand the kitchen since there is currently a large percentage (about 70%, per Mr. Gencarelli) of takeout until the permanent solution could be addressed and completed.

Ms. Folco agreed and said that the State would not approve the temporary sink even if she submitted it to them.

Mr. Gencarelli asked if there are any other businesses in town that have the same issues as Cucina 347 with their septic. Ms. Folco responded that if there are, their solutions are within the confines of the State Code. He said that if he does expand the kitchen, he could still not use the basement space that he wishes to use. Ms. Sedarat asked what purpose the basement would be serving. He said that they are prepping downstairs. Ms. Sedarat countered that he is not supposed to be prepping down there.

Ms. Folco suggested that he stagger the hours and have someone come in earlier to prep some food upstairs and then prep the rest after that and so forth. She said that at present he cannot be prepping the food in the basement. She suggested that he speak with an engineer to see exactly what is needed and then submit a plan. Ms. Sedarat agreed that he should get an engineer in there to calculate the capacity, based on the number and type of fixtures present, before spending money on renovations, because it may turn out that the additional sink may not create a situation of making the water waste over-capacity for the septic.

Mr. Laterra suggested that if the sink can be added, then Mr. Gencarelli should find out if he could consider a smaller hand pump with less horse power pushing the water out than an ejector pump. Mr. Gencarelli said that

it was mentioned and at the beginning and the idea was "shot down". Ms. Folco said that if Kristin said that, she would have said it based on the file and State code. Ms. Folco said that he can only do what Kristin originally approved at this time. Dry food and sauce and dough are permitted to be prepared in the basement, and that is all.

Mr. Gencarelli agreed to do that going forward and he was excused from the meeting.

Ms. Ashkenazi inquired as to whether there had been flooding at the property previously. Mr. Tiffinger and Ms. Folco said that there had been with the previous owner. Ms. Sedarat responded that that is another reason to pursue a permanent solution. She also added that a temporary sink would not be properly regulated, and that if the precedent were created, then there would likely be many businesses that would then be conducting business with unregulated sinks. So it was agreed among the members that the permanent solution would be most appropriate and beneficial.

OTHER BUSINESS

No other business.

ADJOURNMENT

On motion of Ms. Ashkenazi, seconded by Mr. LaForgia, the meeting was adjourned at 7:35 PM.

Roll Call: All Yeas – Ms. Ashkenazi, Mr. Ashkenazi, Mr. LaForgia, Mr. Laterra, Mr. Provenzale, Mr. Talucci, Mr. Tiffinger

APPROVED:


Stephen C. Tiffinger, President

ATTEST:


Sandra Steele, Secretary

DATE:

3/15/2022