

**REGULAR MEETING
of the
OAKLAND BOARD OF HEALTH**

**January 21, 2020 - 7:30 p.m.
MINUTES**

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

REORGANIZATION

CALL TO ORDER

Mr. Tiffinger called the meeting to order at 7:31 PM.

Roll Call: Ms. Ashkenazi, Mr. Ashkenazi, Mr. LaForgia, Mr. Provenzale, Mr. Talucci, Mr. Tiffinger

ABSENT MEMBERS

There were no absent members.

OTHERS PRESENT

Council Liaison Pasquale Pignatelli, Thomas J. Romans, Esq., Assistant Chief REHS Marjorie Vanacore, and Senior 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.

OATHS OF OFFICE

Mr. Romans administered the Oath of Office to Mr. LaForgia, who also acknowledged receipt of the Board of Health Code of Ethics.

NOMINATE & APPOINT PRESIDENT

Mr. Tiffinger called for nominations for President.

Mr. LaForgia nominated Mr. Tiffinger. With no other nominations having been made, nominations were closed. Mr. Tiffinger thanked the Board and accepted the nomination to serve as President.

On motion of Mr. Provenzale, seconded by Ms. Ashkenazi, Mr. Tiffinger was appointed BOH President of the Board of health for the year 2020.

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

NOMINATE & APPOINT VICE PRESIDENT

Mr. Tiffinger called for nominations for Vice-President.

Mr. Tiffinger nominated Mr. LaForgia. With no other nominations having been made, nominations were closed. Mr. LaForgia thanked the Board and accepted the nomination to serve as Vice-President.

On motion of Mr. Talucci, seconded by Mr. Provenzale, Mr. LaForgia was appointed BOH Vice-President for the year 2020.

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

NOMINATE & APPOINT ATTORNEY

Mr. Tiffinger called for nominations for Board of Health Attorney.

Mr. Tiffinger nominated Thomas J. Romans, Esq. With no other nominations having been made, nominations were closed.

On motion of Ms. Ashkenazi, seconded by Mr. Provenzale, Mr. Romans was appointed BOH Attorney for the year 2020.

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

Mr. Romans thanked the Board for the appointment.

2020 PROFESSIONAL SERVICES CONTRACT

Mr. Tiffinger stated that the terms of the 2020 Professional Services Contract remain the same as the terms of the 2019 Professional Services Contract

On motion of Mr. LaForgia, seconded by Mr. Talucci, the 2020 Professional Services Contract with Thomas J. Romans, Esq. was approved and Mr. Tiffinger was authorized to execute same.

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

PROFESSIONAL SERVICES RESOLUTION #1-20

Ms. Steele presented Resolution #1-20:

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 2020; 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 Mr. Stephen Tiffinger has nominated Thomas J. Romans, Esq. to serve as the Board of Health Attorney for the year 2020; 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 2020; and

Re-organization and Regular Meeting of the Oakland Board of Health – January 21, 2020 – Page 3

BE IT FURTHER RESOLVED, that compensation for said Board of Health Attorney for the year 2020 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 \$4,000.00 (\$2,925.00 retainer and \$1,075.00 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 #0-01-27-330-028; and

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. LaForgia, seconded by Mr. Provenzale, Resolution #1-20 was adopted.

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

DESIGNATE OFFICIAL NEWSPAPER

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

On motion of Mr. LaForgia, seconded by Mr. Provenzale, The Record was designated as the Official Publication to receive all Board of health legal notices in 2020, 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. LaForgia, Mr. Provenzale, Mr. Talucci, Mr. Tiffinger

ADOPT BY-LAWS

Mr. Tiffinger asked if anyone would like to make changes to the By-Laws. No changes were proposed.

On motion of Mr. LaForgia, seconded by Ms. Ashkenazi, the By-Laws were adopted for the year 2020.

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

ADJOURNMENT

On motion of Mr. LaForgia, seconded by Mr. Provenzale, the Re-organization portion of the meeting was adjourned at 7:42 PM.

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

REGULAR MEETING

REGULAR BUSINESS

CALL TO ORDER

Mr. Tiffinger called the meeting to order at 7:42 PM.

ROLL CALL

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

OTHERS PRESENT

Council Liaison Pasquale Pignatelli, Thomas J. Romans, Esq., Assistant Chief REHS Marjorie Vanacore, and Senior 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. LaForgia, seconded by Mr. Provenzale, the minutes were approved.

Roll Call: Yeas - Mr. LaForgia, Mr. Provenzale, Mr. Tiffinger; Abstentions - Ms. Ashkenazi, Mr. Ashkenazi, Mr. Talucci.

REVIEW REPORTS

The Board reviewed the following reports:

- BCDHS Public Health Nursing & Activity Report, CDRSS Reports & School Audits – December
- REHS Monthly Report & Summaries - December
- Tyco Animal Control Report – December
- Secretary's/Registrar's Report – December

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

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

PAYMENT OF BILLS

The Board reviewed the following bills:

Charged to the 2019 Budget:

12/17/2019 – Thomas J. Romans, Esq. **\$ 243.75**
(Retainer due for attending 12/17/2019 BOH Meeting, per 2019 contract)

12/2/2019 – Tyco Animal Control **\$ 1,300.00**
(Monthly Animal Control Services for November, per 2019 contract)

12/2/2019 – Tyco Animal Control \$ 120.00
(Animal Control Emergency Responses for November, per 2019 contract)

11/14/2019 – Bergen County Department of Health Services \$ 468.00
(Hep B Vaccinations & Bloodborne Pathogen Training: 6/2/19 – 10/31/19,
Per 2018-2019 Bloodborne Pathogens Agreement)

11/13/2019 – Bergen County Department of Health Services \$ 40,483.03
(Septic and Well Services: 6/1/19 – 10/31/19, per 2016-2019 Shared Services
Agreement.)

12/10/2019 - General Code \$ 695.00
(Codification of Ordinance 19-CODE-95, Approved on 10/15/2019)

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

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

MOTION TO SUSPEND NORMAL ORDER OF BUSINESS

On motion of Mr. LaForgia, seconded by Ms. Ashkenazi, the normal order of business was suspended.

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

NEW BUSINESS

URESHI SUSHI – 2 Conditionals in a 12-month period

Anita Lee of 78 Woods Road, Greenwood Lake, NY stated her name for the record as representing Ureshi Sushi.

Ms. Vanacore stated that Ureshi Sushi had been Conditional on July 22, 2019 and December 4, 2019 and that upon subsequent inspections they were Satisfactory both times.

On July 22, 2019 Ms. Vanacore was there and Ureshi Sushi was Conditional for various violations, including: the handwashing sink was blocked, the 3 compartment sink was not being used properly as they were using it to wash their hands and for rinsing but not wash-rinse-sanitize, they were using cans to store food in lieu of food storage containers, frozen food had been improperly stored at room temperature, and maintenance tools stored in the food prep area.

On December 4, 2019 the violations included and employee wrapping sushi with no gloves, food not maintained at appropriate temperature, preparation of kimchee which was not approved by a Hasa plan nor the Board of Health, and an employee unable to calibrate pH meter properly.

Ms. Vanacore stated that all issues were resolved within two weeks after the violations, and were Satisfactory upon subsequent inspection.

Mr. Tiffinger asked if the establishment had ever come before the Board of Health before, and Ms. Lee stated that they had not.

Ms. Lee stated that they had had two new employees who had not been trained thoroughly enough.

Ms. Lee stated that she has a Food Manager's license, and that the employees had been further instructed.

Mr. Tiffinger stated that since this was their first appearance before the Board, and since they had addressed and continued to address the issues their response is acceptable.

Ms. Ashkenazi asked where their certificate will be displayed. It was stated that it is displayed in a very visible place by the window.

They were thanked for their appearance and they left.

GIANT FARMER'S MARKET – 2 Conditionals in a 12-month period

Brian Chung of 19 River Street in Little Ferry stated his name as representing the Giant Farmer's Market.

Ms. Vanacore stated that there had been a change in management at the time she went there March 21st. She stated that the violations included: food handlers did not wash hands before donning gloves, food handlers did not demonstrate knowledge of proper handwashing procedure, food handlers washed hands at 3-compartment sink, hand sink in meat department was not accessible, hand sink in produce area did not have hot water and was not supplied with paper towels, a cloth towel was used by a food handler, raw beef was stored above containers of sauce, food was being prepared on cardboard, no sanitizer was used on equipment in the ready-to-eat section, cutting boards in meat department were not cleaned sufficiently as they had dark grooves in them, sanitizing solution was too strong at the 3-compartment sink, eating and drinking in food-prep areas, storage area not organized, missing/stained ceiling tiles, wipe cloths not stored in sanitizing solution, food stored on the floor in numerous storage areas, refrigeration equipment needed thermometers, containers of linens stored on floor, can opener had food residue on it, faucets were leaking, and 2-compartment sink had no air gap in pipe.

Two weeks later on April 10 reinspection they were still Conditional. There were mouse droppings, Raid, food debris, holes in wall in storage room, fly paper above food storage, insufficient lighting, cardboard being used for cutting, no sanitizing solution and hot water turned off at the hand sink in the produce prep area, no air gap in produce area 3 compartment sink, products stored on floor, no thermometer in refrigerators, employee belongings in food storage area, employee washed hands at mop sink, mop stored next to food storage, single serve dishes used to dispense rice (without handle), food not maintained at appropriate temperatures. On subsequent inspections they were Satisfactory.

Mr. Tiffinger asked Brian Chung to explain why all this was occurring.

Mr. Chung stated that he is General Manager for the company and that he was Manager at Oakland. Another store opened in Waldwick so he had to divert his attention there, and he takes full responsibility. There are a number of things he is doing to implement improvements. There was a large turnover of employees and he did not realize that they were not coming in certified. He has one that was certified last week, he has 6 more that just went for certification. They are checking/logging the temperatures of salads every 2 hours. They have a new chef.

Mr. Tiffinger asked if it was in the changeover that this happened. Mr. Chung replied yes.

Re-organization and Regular Meeting of the Oakland Board of Health – January 21, 2020 – Page 7

Ms. Vanacore clarified that the reports she read were from March and April, and that they were Conditional again in December, and the main issue was the food temperatures, which has been addressed.

Mr. Tiffinger asked if a summons had been issued. Ms. Vanacore said it had not, as the first two Conditionals were part of the same one.

Ms. Vanacore stated that in 2020 all of the Conditionals from 2019 were going to be inspected early in the year and if so, there will be summonses issued.

Mr. Chung was asked how he addressed the pest problem, and it was addressed by the exterminator. Ms. Vanacore stated that there were no mouse droppings found after that.

Mr. Tiffinger informed Mr. Chung that the Health Inspectors will be checking the food temperature logs and that if there are additional violations, Giant Farmer's Market is going to be issued a summons.

Mr. Chung was thanked for appearing, he asked for any other suggestions. Ms. Vanacore suggested logging refrigerator temperatures in addition to the temperature logs he was keeping for the foods.

Mr. Chung said he would do so, and he left.

OAKLAND DINER – Oakland Diner did not appear and would be scheduled for the next meeting.

2020 TYCO ANIMAL CONTRACT

On motion of Mr. LaForgia, seconded by Mr. Provenzale, the Board recommends execution of the 2020 Tyco Animal Contract by the Borough Administrator.

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

UNFINISHED BUSINESS

BODY ART APPLICATIONS AND ANNUAL FEE

The discussion continued regarding the possibility of requiring an annual license fee for body art establishments.

On motion of Mr. LaForgia, seconded by Mr. Provenzale, the Board will write an ordinance requiring a \$500 yearly licensing fee for Body Art.

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

OTHER BUSINESS

None.


ADJOURNMENT

On motion of Mr. LaForgia, seconded by Mr. Provenzale, the meeting was adjourned at 8:44 PM.

Roll Call: Ms. Ashkenazi, Mr. Ashkenazi, Mr. LaForgia, Mr. Provenzale, Mr. Talucci, Mr. Tiffinger

APPROVED:


Stephen C. Tiffinger, President

ATTEST: 
Sandra Steele, Secretary

DATE: 2/18/2020