

**Harrington Park Board of Health
Minutes of Meeting
May 2, 2016**

Meeting Called to Order by Board of Health President Lipton at 7:37 pm

President's Announcement:

In compliance with Chapter 231, the Public Contract Law of 1975, adequate notice of this meeting was made. It is being conducted under the provisions of the Sunshine Act and has been properly noticed.

Roll Call

Dr. Howard Lipton

Dr. Neil Hess ~ Excused

Mr. John Szweda

Mr. Robert Carbognin

Mr. Scott Weiner ~ Excused

Dr. Mary Lee Casamento

Mrs. Mary Oh Goldstein ~ Excused

Also present:

Louis Apa, Sanitarian; Annie Mongelia, Secretary; Councilwoman Laura Fitzgerald
Gail Poling, Town Nurse ~ Excused

Signing of Oath of Office:

Robert Carbognin

Motion to Adopt Minutes from March 7, 2016 Board of Health Meeting:

Motion to adopt the minutes for March 7, 2016 made by John Szweda;

Seconded by Mary Lee Casamento

Vouchers:

- Town Nurse's voucher,
- Secretary's voucher.

Correspondence:

81 Cat license were issued for 2016. Beginning on April 15th, a late charge of \$10 will be charged, per household, for late renewal of cat license. This was posted in the April HP Newsletter.

On March 16th, we received a response from Bergen County Board of Senior Services (BCBSS) to co-sponsor a clinic to assist residents in applying for NJ SNAP (formerly known as Food Stamps), Medicaid, and NJ Family Care. A date of April 12, 2016 was arranged for the BCBSS clinic to be held at Borough Hall from 9am to 12pm. We requested two representatives, one to be fluent in Korean. By successful advertising and with the assistance of Councilwoman Chung, the clinic helped twenty Bergen County residents apply for NJ SNAP. Attendees were from HP, Bergenfield, Fort Lee, Little Ferry, Leonia, Rivervale, Cliffside Park, Westwood, and Norwood. BVMI flyers were also distributed, as were In-Case-of-Emergency booklets. The next BCBSS clinic is scheduled for May 10th, 2016 from 9am to 2pm, at Borough Hall.

On March 22nd, we received a message from Brendan McCluskey, Director of Emergency Preparedness & Operations. Their 24-hour Duty Officer can be reached at 866-341-9788. Or by email: hccdutyofficer@njlincs.net. Email forwarded to Mr. Hunken, HP OEM, HP Police Chief, and HP Ambulance Corps Chief.

On April 1st, we received a fax from New Jersey State Department of Health, a Report of Rabies Post - Exposure Treatment for scratches/bites incurred by a resident on March 29th. The cat was a stray cat, had no license tag, owner unknown, as reported on the Animal Bite Report from Englewood Hospital and Medical Center.

Received a memo from Bergen County Dept of Health Services, Office of Alcohol and Drug Dependency stating they can provide information, resources and or referrals for treatment regardless of ability to pay. Their phone number is: 201-634-2740.

Reports:

Gail Poling, Town Nurse

Public health report for March 2016 through May 2nd, 2016:

There were 12 participants to the regularly scheduled Adult Health Conference Clinics. Information was given out regarding food intake. Specifically the availability of fresh food versus canned food which has increased levels of sodium and the adverse effects on blood pressure. One senior whom complained of back pain in the area of the kidney was referred to their primary doctor for a check-up. The clinic at Club 60 was cancelled in April due to a family matter. The CDRSS reported one case of mumps, an isolated case of a college-age student. There were no school audits. Flyers were distributed to local senior clubs and local health departments to promote the visit to Harrington Park by representatives from the Bergen County Department of Senior Services.

Louis Apa, Sanitarian

Inspections of retail food establishments have been completed for 2016. As were seven chicken coops for chicken license. A cat bite was reported on Martha Road. The cat was caught, quarantined and found to be free of rabies. The victim has stopped receiving the rabies virus vaccination, and will adopt the cat. An application to open a salon to treat for lice removal has been received, as well as an application to open an organic food market on LaRoche Avenue. News from the HP Environmental Commission regarding a grant for Bee-Keeping. Sanitarian will investigate regulations.

Old Business:

Mayor and Council at their March meeting discussed our recommendation to adopt a resolution on Idling Trains in Teaneck, NJ. This resolution, 2016-56, passed by unanimous vote on March 21, 2016.

Update on proposed Ice Cream Truck Ordinance

In light of a request from the Harrington Park Swim Club for guidance on having a food truck vendor sell food on their premise during the summer, the Ice Cream Truck Ordinance presented during the March 7th, 2016 meeting of the Board of Health has

been amended to include food truck vendors. A new proposed ordinance titled "Health Code Chapter 380 Food Truck Vendor Licensing" is presented under New Business, herein.

The Application for License remains the same, as discussed, but with the title amended.

New Business:

Food Truck Vendor: Addendum A

An ordinance adopting a code for the operation of a Food Truck Vendor, including ice cream truck, in the Borough of Harrington Park, County of Bergen, State of New Jersey, to provide for the licensure and regulation.

BOARD OF HEALTH, BOROUGH OF HARRINGTON PARK
HEALTH CODE CHAPTER 380 FOOD TRUCK VENDOR LICENSING

380 - 1 DEFINITION
FOOD TRUCK VENDOR

Any retail food establishment that is located upon a movable, motorized vehicle where food, ice cream, beverage is stored, cooked, prepared, and served for individual portion service and retail sale. Such food truck vendor shall comply with this chapter and all requirements as otherwise provided in applicable sections of the Borough Code, Borough of Harrington Park.

380 - 2 LICENSE REQUIRED

It shall be unlawful for any person to engage in the activity defined as Food Truck Vendor herein without first obtaining and holding a valid license issued by the Borough of Harrington Park. Any violation of this chapter shall be considered an ordinance violation subject to the general municipal ordinance sanctions provided in Borough Code Chapter 237, Peddling and Soliciting, and Health Code Chapter 352 Article III, Enforcement and Penalties.

380 - 3 APPLICATION FOR LICENSE

- A. All applications for licenses and renewal of licenses shall be completed when presented to the Borough Clerk and shall contain all of the documentation and fees required in accordance with Borough Code Chapter 237 - 3, Application for License, Chapter 237 - 4 Investigation; Records Required, Chapter 237 - 5, Fees; Expiration Date, and the fee to be charged for each food truck vendor license shall be set by Health Code Chapter 373, Fees. Pursuant to 379-4: Fee shall not be prorated from the date of issuance on annual license.
- B. All applications for licenses and renewal of licenses shall be processed by the Borough Clerk's office for completeness and review of food vendor application. Application forms shall be available at the Borough Clerk's office.

380 - 4 Issuance of License; Limitations

- A. A license shall only be issued to a food truck vendor for permitted activities.
- B. A license shall be issued only to the vendor whose name appears on the sales tax certificate of authority pursuant to N.J.S.A. 40:52-1.3

- C. Each license shall be issued on a certificate.
- D. The food truck vendor license is not transferable, Borough Code 237 - 7, Non-transferability.
- E. Food truck vendor license shall permit the operation of food and ice cream trucks in areas pre-designated and approved by the Borough of Harrington Park, and licensee must abide by Borough Code 237 - 9, Use of Streets.
- F. After an application for food truck vendor has been approved by the Borough Clerk, and prior to the delivery of the license to the licensee, the licensee shall secure and provide copies to the Borough Clerk proof of:
 1. Harrington Park Health Department inspection
 2. Food handlers permit
 3. New Jersey State vehicle inspection
 4. Certificate of insurance

380 - 5 License Term, Expiration, and Renewal

Except as otherwise provided in this chapter, all license shall expire on December 31 of the year issued.

380 - 6 Revocation of License

See Borough Code 237 - 11, Revocation.

380 - 7 Regulation

- A. License Displayed: All issued licenses shall be clearly displayed on the food truck.
- B. Background Investigation: In addition to Borough Code 237- 4, Investigation; Records Required, the standard pertains to the applicant, operators, and employees involved in sales, or in operating the food truck. Proof of fingerprinting and background check performed by a neighboring borough conducted within 12 months of application for a license to operate in Harrington Park is acceptable.
- C. Trash: Each food truck vendor shall maintain adequate trash receptacles in or upon the vehicle and shall be responsible for the collection and disposal of paper wrappers and other product generated debris.
- D. Permitted Items For Sale: Food truck vendors shall be permitted to prepare, peddle, sell or otherwise market any prepared food or food item. Food truck vendor shall not sell or market pre-packaged ice cream.
- E. Permitted Items For Sale: Ice cream truck vendor shall be permitted to prepare, peddle, sell or otherwise market pre-packed ice cream, pre-packed candy, bottled or canned beverages. Ice cream vendors shall not sell or market any prepared food or food items.
- F. Refrigeration: All vending vehicles, motorized or not, shall be equipped with appropriate refrigeration equipment and maintain temperature control. Such equipment shall be inspected by the Board of Health prior to the license being issued.

- G. Noise; Sound Solicitation: The use of sound by the vendor to alert potential customers to the vendor's presence shall be limited and subject to Borough Code 219, Noise. No sound device, mechanical bells, mechanical music, mechanical noises of any type or sound, nor speakers, amplifiers, or sound device of any kind shall be permitted which exceed the sound levels permitted in Borough Code 219, Noise.
- H. Hours of Operation: The hours of operation of a food truck vendor is supplemental to Borough Code 237 - 6, Hours Restricted, Conduct, Exhibition of Permit, with the exception of that which is stated herein. A food truck vendor shall be permitted to operate everyday from 10am until sunset during the months of May, June, July, August, September, and October, only.
- I. Power to Make Rules and Regulation: The Board of Health of Harrington Park may, by resolution, make rules and regulations which interpret or amplify any provisions of this chapter or for the purpose of administering the provision of this chapter, and may from time to time, by resolution, limit the number of licenses issued as may be necessary to avoid undue crowding, littering, traffic congestion and the like.
- J. Enforcement: This chapter shall be enforced by the Health Department of the Borough of Harrington Park, and the Police Department of Harrington Park.
- K. Food Truck Vendor Restrictions: In addition to the restrictions set forth in this chapter, food truck vendors shall not provide or allow any dining area, including but not limited to tables, chairs, booths, bar stools, and benches.
- L. Any food truck vendor operating without a valid food vendor license or permit, or are not in compliance with this chapter shall be deemed a public safety hazard, and may be ticketed, and their vehicles may be impounded.
- M. All vendors shall comply with all applicable state statutes, all applicable Harrington Park ordinances, and any other laws or regulation that may be applicable under the given circumstances.

Discussion:

Reconsider motion to reduce Fee per Health Code 373-2, Fees; from \$250 to \$100. On March 7, 2016, the Board of Health of Harrington Park had unanimously voted-in-favor of reducing the fee to \$100. The Board on May 2, 2016 upon further consideration voted to keep \$250 as the fee for annual license; and establish a new fee of \$150 for seasonal license ~ May through October, decision to be recorded on Board of Health Resolution 2016 - 2.

Vote Upon First Reading: Harrington Park Health Code Chapter 380 ~ Food Truck Vendor Licensing

Health Code Chapter 380 was unanimously voted upon favorably by all board members present at the meeting on May 2nd, 2016. The Board further approved Chapter 380 to be advertised in a Public Notice for a second reading and final passage at the next regularly scheduled Board of Health meeting on June 6, 2016, at 7:30pm.

Public Session: Open to the Public for comments:

No public in attendance.

Motion to Adjourn made by Dr. Lipton at 8:35pm; Seconded by Dr. Casamento