

**Harrington Park Board of Health
Minutes of Meeting
June 6, 2016**

Meeting Called to Order by Board of Health President Lipton at 7:30 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

Mr. John Szweda ~ excused

Mr. Robert Carbognin

Dr. John Hwang

Mr. Scott Weiner

Dr. Mary Lee Casamento

Mrs. Mary Oh Goldstein

Also present:

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

Welcome Dr. John Hwang to the Harrington Park Board of Health. Dr. Hwang will be completing the term, as a member of the Board of Health, in place of Dr. Neil Hess.

Signing of Oath of Office:

Dr. John Hwang

Motion to Adopt Minutes from May 2, 2016 Board of Health Meeting:

Motion to adopt the minutes for May 2, 2016 made by Dr. Lipton; Seconded by Dr. Casamento.

Vouchers:

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

Correspondence:

The New Jersey Department of Health recently issued a report to date of two reported cases of travel related exposure to Zika Virus in New Jersey. They advise calling (609) 826-5964 weekdays from 8am to 5pm to request Zika testing. The address is:
NJ Public Health and Environmental Labs, 3 Schwarzkopf Drive, Ewing, NJ 08628

Reports:

Gail Poling, Town Nurse

Ten adults attended the HPBOH's Adult Health Conferences (AHC) held at Club 60. Club 60 hosted education sessions including self-defense. The next AHC will be held in September 2016. In June applications for NJSNAP program will be available at HP.

There were no school audits. Three referrals were made. One referral to the Hillsdale Child Health Conference, one referral to Meals-On-Wheels, one referral to visiting nurse services. The CDRSS reported 2 cases of Lyme disease. Regarding Zika, as of June 3rd, there were 19 confirmed cases in NJ. 7 cases from Bergen County, 3 from Passaic, 3 from Burlington, 3 from Morris, 1 each from Hudson, Camden, and Essex. The NJ Dept. of Health's website provides information on how to screen for Zika along with a video and other educational material. Campaign Zap-Zika is geared to teenaged pregnant women or those traveling abroad. The Zika call center phone number is 1-800-962-1253. As public health advocates we can educate and steer people to appropriate resources to get information.

Louis Apa, Sanitarian

Report of a cat bite on Martha Road. The HP Swim Club was inspected and found to be Satisfactory. All records on lifeguards and CPR certification was up to date and current. Animal Control reported the following activity on their patrol of HP: A fawn, turkey, raccoon, and cats were picked up. They have a contractual agreement with HP to answer calls regarding wild life. The old HP Meat Market has a new business owner, HP Homemade. An inspection of the store and review of food handler's certificate will occur soon.

Old Business:

Town attorney, Mr. Jack Dineen, reviewed the proposed Food Truck Vendor Ordinance, Health Code Chapter 380, and finding it to be satisfactory gave his approval for publishing as a Public Notice to facilitate its vote and adoption.

Vote Upon Second Reading of Harrington Park Health Code Chapter 380 ~ Food Truck Vendor Licensing: (Addendum A attached.)

Dr. Howard Lipton

Mr. Scott Weiner

Mr. John Szweda

Dr. Mary Lee Casamento

Mr. Robert Carbognin

Mrs. Mary Oh Goldstein

Dr. John Hwang

Ayes: 5 votes Nays: 0

Health Code Chapter 380 is approved and will be in effect upon 20 days following public notice.

Resolution 2016 - 2: Resolution on Adopting a Food Truck Vendor Ordinance #380 and to amend Health Code Chapter 373-Fees, to include \$150 for a license from May through October for an Ice Cream Truck Vendor. (Addendum B attached.)

New Business:

On May 10, 2016, Bergen County Board of Senior Services (BCBSS) came to Harrington Park to co-host a clinic to assist Bergen County residents in applying for NJ SNAP (formerly known as Food Stamps), Medicaid, and NJ Family Care. The clinic, from 9am to 12pm, helped five individuals register for NJ SNAP. Although not as numerous as the previous clinic, we had one resident in desperate need of assistance

apply for both NJ SNAP and NJ Family Care. The next BCBSS Clinic will be in October 2016, date TBD.

On Thursday, June 16, 2016, from 7pm to 8pm, we will host our free annual Bloodborne Pathogens Recertification Class at borough hall. The class is taught by an instructor from JIF and is open to all first responders. An ad to advertise the clinic was printed on June 6th's edition of the Northern Valley Press. HP Clerk, Ann Bistriz, sent an email to all Borough Clerks in Bergen County to invite attendance by all 1st responders in need of recertification for 2016. Flyers were given for posting at the HP Fire Dept., HP Ambulance Corps, HP DPW, HP PD, and were emailed to the captains. The Harrington Park Bloodborne Pathogens Exposure Control Plan Manual (ECP) will be available for review with copies available for 1st responders to take home. The annual ECP update form will be given to the Captains, Superintendent, and Chief for signatures.

On Saturday, June 25th, 2016, from 11am to 1pm, we will sponsor a Healthy Skin Clinic at the Harrington Park Swim Club. Joining us will be Albert Ferrera from Bergen County Dept. of Health Services, Department of Health Education bringing a Prize Wheel. A recent addition is a representative from the Health Awareness Regional Program of Hackensack University Medical Center (HARP). They will bring a Derma Scan to promote awareness on sun damage. Additionally, on a date to be determined by the swim club and HARP, HARP will give a presentation to the swim club lifeguards, a program called The Dark Side of the Sun.

The pharmacist at Food Town, Closter, NJ has expressed interest in co-sponsoring a pneumonia clinic in Harrington Park in November 2016. Details to be determined are the price structure, date, and time.

We have a new email address for the Harrington Park Board of Health: BOH@HARRINGTONPARKNJ.GOV. The partners of our clinics have been notified of the new email address.

Borough Hall has instituted new summer hours for Friday's. Office hours shall be from 9am to 2:30pm.

Public Session: Open to the Public for comments:

Motion to Adjourn made by Dr. Lipton at 8:05 pm;
Seconded by Mrs. Goldstein

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.

Harrington Park Board of Health Resolution 2016 - 2: Addendum B

HARRINGTON PARK BOARD OF HEALTH
BOARD OF HEALTH RESOLUTION # 2016 - 2
RESOLUTION ON ADOPTING A FOOD TRUCK VENDOR ORDINANCE #380
AND TO AMEND CHAPTER 373-FEES, TO INCLUDE \$150 FOR MAY THROUGH OCTOBER
ICE CREAM TRUCK VENDOR LICENSE

The Harrington Park Board of Health upon discussion at a meeting on May 2nd, 2016 hereby pass on first reading an ordinance governing foods truck vendors, including ice cream trucks: A Health Code Ordinance to Govern Operating a Food Truck and an Ice Cream Truck in the Borough of Harrington Park, NJ

WHEREAS, Councilwoman Chung had requested the Board of Health to consider the requirements for an ordinance governing the licensure of an ice cream truck in Harrington Park; and

WHEREAS, an ice cream truck has been seen engaged in advertising for sale by way of playing a tune over loud speakers along the streets of Harrington Park; and

WHEREAS, an ice cream truck has been seen engaged in making sales to children in Harrington Park; and

WHEREAS, there is no ordinance specifically addressing the operational and health standards of a food truck and an ice cream truck in Harrington Park; and

WHEREAS, there is no application for a license to operate a business from a food truck nor ice cream truck in Harrington Park; and

WHEREAS, the Harrington Park Swim Club is considering to allow a food truck vendor to park and operate within the grounds of the swim club; and

WHEREAS, the licensure of a food truck vendor, including ice cream truck, will require investigation by the Chief of Police, or his designee, and inspection by the Sanitarian of Harrington Park, thereby authority to conduct such investigation and inspection is required; and

WHEREAS, a motion to establish a summer time ice cream truck license fee of \$150 for business conducted only between May and October of a given license year had been discussed and approved by unanimous vote of all members present at a meeting of the Board of Health on May 2nd, 2016; and

NOW, THEREFORE, the Board of Health, Borough of Harrington Park adopts an ordinance, Health Code Chapter 380 to govern Food Truck Vendor Licensing, including Ice Cream Truck, in the Borough of Harrington Park, New Jersey.

BE IT FURTHER, Health Code 373-Fees shall be amended to include item J. To establish a fee of \$150 for the license of an Ice Cream Truck to conduct business between the months of May through October for a given year.

I hereby certify that the above resolution was adopted by the Board of Health of Harrington Park on May 2nd, 2016.

Annie Mongelia, Secretary to the Board of Health of Harrington Park