

**BOROUGH OF FANWOOD
BOARD OF HEALTH
SPECIAL MEETING
JUNE 30, 2022**

A Special Meeting of the Board of Health was called to order at 7:05 PM by President Margaret Lewis via Zoom.

Ms. Lewis presided and stated: "I hereby announce and request that same be included in the minutes of this meeting, that notice of the time, place and date of the meeting has been prominently posted on the bulletin board at Borough Hall, mailed to The Hawk (formerly The Times) posted on the official website of the Borough of Fanwood, filed with the Borough Clerk and mailed to any person requesting same in accordance with the Open Public Meetings Act."

ROLL CALL

Present: Dr. John Hanna, Mr. Tom Kranz, Ms. Margaret Lewis, Mr. Michael Lewis, Ms. Kathleen Thomas, Mr. John Otchy, Ms. Jan Siegal, Ms. Tanisha McGriff, Ms Regina Brown arrived later.

Absent: Councilwoman Francine Glaser

Also Present: Ms. Colleen Huehn, Ms. Megan Avallone, Ms. Christie Calmon, Attorney Russell Huegel, Attorney Shaun Blick, Mr. Sean Flannery

Ms Margaret Lewis called on Mr. Huegel and Ms. Avallone to update the Board members on events that transpired since the June 1 meeting.

The following was reviewed with the Board:

On June 7th a letter was sent to Sheelen's Fish Company to confirm the actions taken by the Board of Health at the June 1 Special Meeting.

On June 8th a follow up inspection was conducted at Sheelen's Fish Company.

A conditional rating was posted

On June 9th Ms. Calmon corresponded with Mr. Pascale stating the two day license suspension would be enforced and Sheelen's Fish was given the opportunity to pick the two days, either on 6/13 & 6/14 OR 6/13 & 6/20.

On June 10th a reply was received from Mr. Pascale requesting an extension on the closer to be given the opportunity to file "an emergency application for a summary action to show cause with the Union County Superior Court"

On June 14th a response was sent stating the two day suspension of their food license would be 6/20 & 6/21

On June 16th a letter was received (sent to Westfield Board of Health) from Attorney Shaun Blick requesting that the suspension be held in abeyance and if the business received a "satisfactory" rating he further requested that the two day suspension be "re-considered"

Attorney Huegel & Ms. Avallone had conversations with Attorney Blick and it was agreed that there would be another inspection on June 17th

On June 17th Ms Calmon visited the establishment to re-inspect. At this time she was unable to observe hand washing and food preparation activity as the owner of the property, Mr. Flannery, was sending patrons away. Ms. Calmon issued a report stating these activities were “not observed”. These activities, among others, were part of the cause for the Board of Health to determine license suspension. Other items of concern, appeared to be Ok and a “satisfactory” posting was issued.

On June 20th another item of correspondence came from Attorney Blick regarding the Board foregoing suspension and the possibility of another hearing.

Mr. Blick and Mr. Flannery were given the opportunity to address all of the above.

Mr. Blick stated he was of the opinion that the Board of Health was in violation of NJAC 8:24 8.11 B2 which states upon a conditional posting a reinspection SHALL be scheduled.

Mr. Huegel & Ms. Avallone pointed out that Borough of Fanwood, Chapter 354, “Sanitary Regulations” is what is being upheld.

On a motion by Mr. Lewis, seconded by Dr. Hanna, the meeting was moved into Executive Session. Motion carried on roll call of members present.

On a motion by Mr. Lewis, seconded by Ms McGriff, the meeting returned to the normal order of business

On a motion by Mr. Lewis, seconded by Mr. Kranz, the Board of Health decision to suspend the facilities license for two days, which was a result of receiving another conditional posting on June 8th stands. The two day suspension will be on July 5th and July 6th. Motion carried on roll call of members present.

Attorney Blick entered his objection for the record.

BOARD HEARING

Sheelens Crossing
200 South Avenue

President Lewis stated that Sheelen’s Crossing was appearing before the Board of Health due to the fact that a second conditional posting was received at this establishment.

Ms. Calmon reviewed the nature of the second conditional posting. Photographs were reviewed.

Mr. Flannery was given opportunity to respond. He stated that after reviewing the violations with Ms. Calmon (cross contamination/ temperature controls/hand washing), Mr. Flannery met with his staff to discuss the findings.

He stated that he and his staff performed an extensive cleaning of the facility.
He provided a checklist to his employees regarding proper maintenance of temperatures.
Employees will have a class on July 25th with Serv Pro to satisfy requirement for a certified food handler to be present at location.
Internal controls will be enforced re: dish sanitizing, hand washing etc.

The Board members expressed their disappointment that another facility under his supervision is in this position.

They implored Mr. Flannery to bring the facility up to regulations and maintain them.

On a motion by Mr. Lewis seconded by Mr. Kranz, the Board voted to have the inspector return to this facility between July 25th & July 31st (unannounced) to conduct an additional inspection. If at that time the facility receives another conditional rating, the license will be immediately suspended for two days without further consideration.

Motion carried on roll call vote of members present.

MEETING OPEN TO THE PUBLIC

No one present

ADJOURNMENT

There being no further business to come before the board, Ms. Lewis requested a motion to adjourn.

On a motion by Mr. Lewis, seconded by Ms. McGriff, the meeting adjourned at 9:35 PM.

Respectfully submitted,

Colleen M. Huehn

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Secretary