

REGULAR MEETING OF THE BLOOMFIELD BOARD OF HEALTH JANUARY 15, 2009

A Regular Meeting of the Bloomfield Board of health, as established by public record in *The Star Ledger* and posted on the Public Bulletin Board in the Municipal Building, was called to order on January 15, 2009 at 6:48 p.m. in the Mayor's Conference Room in the Law Enforcement Building.

Roll Call – President, Joel Elkins showed the following members to be present:

Joel Elkins- President
James McLaughlin, Vice President
William Padilla, Member
Jo Ponticello, Member
Patricia Barker, Council Liaison

Stephanie Smith, Member-Absent

Also president: Karen Lore, Acting Director of Health & Human Services

Approval of Minutes

The December 18, 2009 minutes were approved on a motion by J. Ponticello and seconded by W. Padilla. None were opposed.

Public Comment

No questions or comments

December Licenses Pending Approval

The December Licenses were approved on a motion by James McLaughlin and seconded by J. Ponticello. None were opposed.

December Communications

No questions or comments

Director of Health and Human Services December Report

The Director informed the Board of the Budget Hearing scheduled for February 7, 2009 at 3:30. Joel Elkins will also be in attendance. A Shelter Volunteers Meeting is scheduled for January 21, 2009, at which time the Director will speak with the volunteers and formally introduce Paula Piekas as the Volunteers Liaison.

The Caldwell Board of Health Meeting is scheduled for January 27, 2009. The Caldwell Board requested that in absence of a Health Officer that the Director be in attendance for this meeting.

The Director reported on the Office of Emergency Management Meeting to discuss repair work which could result in a water main shut-off potentially effecting North End residents. A review of the emergency call out plans was conducted and the Environmental Staff advised. Efforts were underway by the Township Engineers to halt plans that would disrupt service.

The Director discussed The Field Force Manager's System that was installed in Field Personnel's phones. The software allows for GPS tracking and time analysis. This system will be effective in deploying complaints to inspectors who are in the area of the complaint. It will alleviate concerns that were previously present concerning accountability.

The Board's fee recommendation to increase the dog & cat licenses to the maximum in order to generate additional revenue was submitted to the Township Administrator and scheduled to be placed on the Council Agenda on January 26, 2009.

The Director informed the Board that Vincent Nicosia, Environmental Supervisor has reported that all the mandated inspections for 2008 have been completed. Due to staffing shortages they did not complete the non-mandatory inspections for 2008.

The Director informed the Board that the Human Services Division and Nursing Services continue to see an increase in service requests. The Board requested that 2009 monthly reports include previous months to help identify trends. The Director will work with the supervisors to reformate monthly reports as requested.

The Director's Report was approved on a motion by J. Ponticello and seconded by J. McLaughlin. None were opposed.

December Financial Report

The December Financial Report was approved on a motion by J. McLaughlin and seconded by W. Padilla. None were opposed.

Council Liaison's Report

Councilwoman Barker reported on the budget process and efforts to reduce costs.

A question was raised to Councilwoman Barker concerning whether the Council has taken any official action on car hire. She responded that there was no firm decision. The matter is still under review. The Director stated that employees who use their vehicles to do home visits, such as the nursing staff and social work staff receive car hire. Inspectors do not receive car hire and are provided Township vehicles for use.

Unfinished Business

Service Contract - Professional Services Contract for Animal Control Services between Government Strategy Group and the Township of Bloomfield. The Director stated that the resolution was passed and this contract will allow the Township to move forward with

the Study. President Joel Elkins requested that the contract be reviewed by the Attorney prior to signature.

Board Attorney Bids - The Director stated that two bids were received. The discussion was moved to closed session.

New Business

Budget Proposal Update – The Director reviewed with the Board the proposed budget outlining areas of savings and hiring recommendations for filling vacant positions.

Paperless Board Packets - The Director discussed emailing each Board Member their Board meeting packet. The hard copy would be available at the meeting. President Joel Elkins cautioned that a member's personal computer brought into the meeting could be subject to the Open Public Records Act (OPRA). It was suggested that Board members could review the agenda items and bring specific points of discussion to the meeting. The Board agreed to have the packets emailed on a trial basis.

Resolution – Intergovernmental Services

The following Resolution *INTERGOVERNMENTAL SERVICES* was passed on a motion by J. McLaughlin and seconded by J. Ponticello. All voted in the affirmative.

INTERGOVERNMENTAL SERVICES RESOLUTION

WHEREAS, N.J.S.A. 26:3-1 requires every New Jersey municipality to have a Board of Health; and

WHEREAS, N.J.S.A. 26:3-2 allows a local Board of Health to adopt rules, regulations and ordinances for its government and that of its officers and employees; and

WHEREAS, the Board of Health of the Township of Bloomfield has determined that in order to fulfill its State Mandate and in keeping with the purpose and intent of New Jersey State Statutes on shared services; and

WHEREAS, the Board of Health has determined that the following services can be provided by the Township of Bloomfield in a way that promotes economies of scale.

NOW, THEREFORE, BE IT RESOLVED that the Board of Health of the Township of Bloomfield, New Jersey, does hereby approve retaining the services of the Township of Bloomfield for the 2009 calendar year as follows:

- A. Accounting Services
- B. All Payroll Services
- C. Human Resources and benefits management excluding the following: employment in accordance with N.J.S.A. 26:3-19 et seq., termination and discipline
- D. Facilities management of the Board's offices and buildings
- E. Management Information Systems

Resolution Non-Fair & Open for Pediatrician

The following Resolution *Non-Fair & Open for Pediatrician* was passed on a motion by J. McLaughlin and seconded by J. Ponticello. All voted in the affirmative.

RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT FOR A PEDIATRICIAN

WHEREAS, the Board of Health of the Township of Bloomfield has a need for a Pediatrician and is going to award the contract as a non-fair and open contract pursuant to the provisions *N.J.S.A. 19:44A-20.5*; and

WHEREAS, the Board of Health's Director of Health & Human Services has determined and certified in writing that the value of the services will not exceed \$17,500; and

WHEREAS, the term of this contract is one year ending December 31, 2009; and

WHEREAS, Maryann Alessio, D.O., F.A.A.P., has indicated she will continue to act as the Pediatrician for the Board of Health of the Township of Bloomfield in accordance with the terms of her current contract; and

WHEREAS, Maryann Alessio, D.O., F.A.A.P. has completed and submitted a Business Entity Disclosure Certification which certifies Maryann Alessio, D.O., F.A.A.P. has not made any reportable contributions to a political or candidate committee in the Township of Bloomfield and/or the Board of Health Members in the previous one year, and that the contract will prohibit Maryann Alessio, D.O., F.A.A.P., her agents and/or employees from making any reportable contributions during the term of the contract; and

WHEREAS, the Board of Health's Director of Health & Human Services has certified that funds are available to cover the cost of this service.

NOW, THEREFORE, BE RESOLVED that the President and Members of the Board of Health of the Township of Bloomfield authorizes the President of the Board of Health to enter into a contract with Maryann Alessio, D.O., F.A.A.P. as described herein; and

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; and

BE IT FURTHER RESOLVED that this resolution and the contract itself shall be available for public inspection at the office of the Board of Health's Director of Health & Human Services during regular business hours; and

BE IT FURTHER RESOLVED that a notice of this action shall be printed once in the official newspaper of the Board of Health of the Township of Bloomfield.

Resolution – Non Fair & Open for Professional Legal Services

Discussion Deferred to Closed Session

Resolution- BOH /Department-Website As Official Notification/Pay to Play

The following Resolution *BOH /Department-Website As Official Notification/Pay to Play* was passed a Motion by James McLaughlin and seconded by William Padilla. All were in favor, none were opposed.

**RESOLUTION DESIGNATING INTERNET WEBSITE FOR OFFICIAL NOTIFICATION
PURSUANT TO NEW JERSEY LOCAL UNIT PAY-TO-PLAY LAW**

WHEREAS, the Board of Health of the Township of Bloomfield (“Board”), is subject to the provisions of N.J.S.A. 19:44A-20.4 et seq., the “New Jersey Local Unit Play-To-Play” law (“Law”); and

WHEREAS, as part of the “fair and open process” contained in the Law, the related contract to be awarded under the “fair and open process” shall be “publicly advertised in newspapers or on the Internet website maintained by the public entity” (N.J.S.A. 19:44A-20.7); and

WHEREAS, the Board of Health of the Township of Bloomfield maintains its Internet website at www.bloomfieldtwpnj.com/health; and

WHEREAS, the Board desires to designate the Board of Health’s Website as the official notification source for all contracts to be awarded as part of the “fair and open process” pursuant to the Law.

NOW, THEREFORE, BE IT RESOLVED by the Board of Health of the Township of Bloomfield, as follows:

1. The Board hereby designates the Board of Health of the Township of Bloomfield’s Internet Website at www.bloomfieldtwpnj.com/health as the official notification source for contracts to be awarded as part of the “fair and open process” contained in N.J.S.A. 19:44A-20.4 et seq., the “New Jersey Local Unit Pay-To-Play” law; and
2. The Board in not precluded from utilizing its official legal newspaper for notification when it so desires.

Resolution - Tuberculosis Service

The following Resolution *Tuberculosis Service* was passed on a Motion by J. Ponticello and Seconded by James McLaughlin. All in favor, W. Padilla abstained.

**R E S O L U T I O N – P R O F E S S I O N A L S E R V I C E S
T U B E R C U L O S I S H E A L T H S E R V I C E S**

WHEREAS, the Board of Health of the Township of Bloomfield is mandated to by N.J.A.C. 8:52 to administer a tuberculosis control program; and

WHEREAS, certain skills and expertise needed to conduct an appropriate program are not possessed by current staff; and

WHEREAS, the Board has determined that these services are necessary to be in compliance with N.J.A.C. 8:52.

NOW, THEREFORE, BE IT RESOLVED that the Board of Health of the Township of Bloomfield, New Jersey, does hereby authorize the retention of New Jersey Medical School's Global Tuberculosis Institute at an annual sum of FIVE THOUSAND FORTY DOLLARS (\$5,040.00) as noted in the accompanying contract to provide said services.

Resolution/Contract- Designating 2009 Holiday Schedule

The following Resolution *Designating 2009 Holiday Schedule* was passed on a Motion made by J. McLaughlin and Seconded by J. Ponticello. All were in favor, none opposed.

R E S O L U T I O N – DESIGNATING 2009 HOLIDAY SCHEDULE

WHEREAS, the Board of Health of the Township of Bloomfield must establish a holiday schedule for non-contractual/non-unionized employees of the Board; and

WHEREAS, the Board of Health is an independent and autonomous entity and because the Board must maintain the health safety and welfare of the residents of the town of Bloomfield; and

WHEREAS, the Board of Health's full time rank-and-file employees are currently subject to a scope petition concerning union representation before the State of New Jersey Public Employment Relations Committee; and

WHEREAS, the Board of Health has offices in the Township of Bloomfield's Municipal Building; and

WHEREAS, the Board believes it is in its best interest for efficiency to maintain a similar holiday schedule as the Township of Bloomfield.

NOW, THEREFORE, BE IT RESOLVED that the Board of Health of the Township of Bloomfield, New Jersey, does hereby designate the following as its 2009 Holiday Schedule for non-contractual/non-unionized employees of the Board:

2009 HOLIDAY SCHEDULE

New Year's Day	Thursday, January 1 st
Martin Luther King, Jr. Day	Monday, January 19 th
President's Day	Monday, February 16 th
Good Friday	Friday, April 10 th
Memorial Day	Monday, May 25 th
Independence Day	Friday, July 3 rd
Labor Day	Monday, September 7 th
Columbus Day	Monday, October 12 th
Veteran's Day	Wednesday, November 11 th
Thanksgiving Day	Thursday, November 26 th
Day after Thanksgiving	Friday, November 27 th
Christmas Day	Friday, December 25 th
Floating Holiday	Taken at discretion of employee and Approved by Director

Resolution- P/T Temporary Hire/Shelter

The following Resolution *P/T Temporary Hire/Shelter* was passed on a Motion by J. McLaughlin and Seconded by J. Ponticello. All were in favor, none were opposed.

**R E S O L U T I O N – A P P O I N T M E N T O F T E M P O R A R Y , P A R T / T I M E E M E R G E N C Y H I R E ,
A N I M A L A T T E N D A N T**

WHEREAS, the Board of Health of The Township of Bloomfield has determined that it is currently in the best interest of the Board and the Township of Bloomfield to hire a temporary part-time, emergency hire of an animal attendant in order to provide the required care of the animals located at the John A. Bukowski, Jr. Shelter for Animals; and

WHEREAS, the Board of Health, by New Jersey State Statute, N.J.S.A. 26:3-19 may employ such personnel as it may deem necessary and fix the duties and compensation of its appointees; and

WHEREAS, the Director of Health & Human Services has determined that Jerry Blasi 270 Belleville Avenue, Bloomfield, New Jersey 07039 meets the criteria for animal attendant.

NOW, THEREFORE, BE IT RESOLVED by the Board of Health of the Township of Bloomfield, that Jerry Blasi be appointed P/T Animal Attendance in accordance with New Jersey

Department of Personnel. This emergency appointment is not to exceed a one year period and hire shall be at Step 1 of the Board's salary range for that title effective the 25 day of January, 2009.

Resolution-Employee Resignation

The following Resolution *Employee Resignation* was passed on a Motion by J. McLaughlin and Seconded by William Padilla. All were in favor, none were opposed.

R E S O L U T I O N – EMPLOYEE RESIGNATION

WHEREAS, Trevor Weigle is presently an employee of the Board of Health of the Township of Bloomfield serving in the capacity of Health Officer.

WHEREAS, Trevor Weigle has notified the Acting Director of Health & Human Services that it is his desire to resign from his position as Health Officer for the Board of Health of the Township of Bloomfield.

NOW THEREFORE BE IT RESOLVED by the Board of Health of the Township of Bloomfield that the Board hereby accepts the resignation of Trevor Weigle, effective at 4:30pm Monday, January 19, 2009.

BE IT FURTHER RESOLVED that the Board hereby instructs the Acting Director of Health & Human Services to complete all necessary paperwork and take other actions as necessary to properly effectuate said resignation.

The following resolution to move to closed session at 8:11 p.m. was passed on a motion by J. McLaughlin and second by W. Padilla. All present voted in the affirmative.

CLOSED SESSION RESOLUTION

WHEREAS, N.J.S.A. 10:4-12 allows for a public body to go into closed session during a public meeting; and

WHEREAS, the Board of Health of the Township of Bloomfield has deemed it necessary to go into closed session to discuss certain matters which are exempted from the public; and

WHEREAS, this meeting of the Board of Health will reconvene immediately following the closed session,

NOW, THEREFORE BE IT RESOLVED, that the Board of Health of the Township of Bloomfield will go into closed session for the following reason(s) as outlined in N.J.S.A. 10:4-12:

	(1) Any matter which, by express provision of Federal law or State statute or rule of court shall be rendered confidential or excluded from the provisions of subsection a. of this section.
	(2) Any matter in which the release of information would impair a right to receive funds from the Government of the United States.
	(3) Any material the disclosure of which constitutes an unwarranted invasion of individual privacy such as any records, data, reports, recommendations, or other personal material of any educational, training, social service, medical, health, custodial, child protection, rehabilitation, legal defense, welfare, housing, relocation, insurance and similar program or institution operated by a public body pertaining to any specific individual admitted to or served by such institution or program, including but not limited to information relative to the individual's personal and family circumstances, and any material pertaining to admission, discharge, treatment, progress or condition of any individual, unless the individual concerned (or, in the case of a minor or incompetent, his guardian) shall request in writing that the same be disclosed publicly.
	(4) Any collective bargaining agreement, or the terms and conditions which are proposed for inclusion in any collective bargaining agreement, including the negotiation of the terms and conditions thereof with employees or representatives of employees of the public body.
	(5) Any matter involving the purchase, lease or acquisition of real property with public funds, the setting of banking rates or investment of public funds, where it could adversely affect the public interest if discussion of such matters were disclosed.
	(6) Any tactics and techniques utilized in protecting the safety and property of the public, provided that their disclosure could impair such protection. Any investigations of violations or possible violations of the law.
X	(7) Any pending or anticipated litigation or contract negotiation other than in subsection b. (4) herein in which the public body is, or may become a party. Any matters falling within the attorney-client privilege, to the extent that confidentiality is required in order for the attorney to exercise his ethical duties as a lawyer.
X	(8) Any matter involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of the performance of, promotion or disciplining of any specific prospective public officer or employee or current public officer or employee employed or appointed by the public body, unless all the individual employees or appointees whose rights could be adversely affected request in writing that such matter or matters be discussed at a public meeting.
	(9) Any deliberations of a public body occurring after a public hearing that may result in the imposition of a specific civil penalty upon the responding party or the suspension or loss of a license or permit belonging to the responding party as a result of an act or omission for which the responding party bears responsibility.

The public portion of the meeting reconvened at 8:59 p.m.

The closed session minutes of the December 18, 2008 meeting were passed on a motion by J. McLaughlin and seconded by W. Padilla. All present voted in the affirmative.

The following Resolution *Legal Services* was passed on a Motion by J. McLaughlin and seconded by W. Padilla. All present voted in the affirmative.

RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT FOR LEGAL COUNSEL

WHEREAS, the Board of Health of the Township of Bloomfield has a need for an Attorney and is going to award the contract as a non-fair and open contract pursuant to the provisions *N.J.S.A. 19:44A-20.5*; and

WHEREAS, the Board of Health's Director of Health & Human Services has determined and certified in writing that the value of the services may exceed \$17,500; and

WHEREAS, the term of this contract is one year ending December 31, 2009; and

WHEREAS, Ronald J. Ricci Esq., meets the requirements as outlined in the Request for Proposal posted by Board of Health of the Township of Bloomfield on the Township website; and

WHEREAS, Ronald J. Ricci Esq., has completed and submitted a Business Entity Disclosure Certification which certifies Ronald J. Ricci Esq., has not made any reportable contributions to a political or candidate committee in the Township of Bloomfield and/or the Board of Health Members in the previous one year, and that the contract will prohibit Ronald J. Ricci Esq. it agents and/or employees from making any reportable contributions during the term of the contract; and

WHEREAS, the Board of Health's Director of Health & Human Services has certified that funds are available to cover the cost of this service.

NOW, THEREFORE, BE IT RESOLVED that the President and Members of the Board of Health of the Township of Bloomfield authorizes the President of the Board of Health to enter into a contract with Ronald J. Ricci Esq, as described herein; and

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; and

BE IT FURTHER RESOLVED that this resolution and the contract itself shall be available for public inspection at the office of the Board of Health's Director of Health & Human Services during regular business hours; and

BE IT FURTHER RESOLVED that a notice of this action shall be printed once the official newspaper of the Board of Health of the Township of Bloomfield.

The January 15, 2009 Regular Meeting of the Board of Health of the Township of Bloomfield was adjourned at 9:02 p.m. on a Motion by J. Ponticello and seconded by S. Smith. All present voted in the affirmative.

Respectfully Submitted,

Karen Lore, Acting Director
Secretary to the Board

