

**MINUTES OF A REGULAR MEETING OF THE BOROUGH OF MADISON
BOARD OF HEALTH**

February 16, 2016 – 7:30 p.m.

CALL TO ORDER

The Regular Meeting of the Board of Health of the Borough of Madison was held on the 16th day of February, 2016. Donald Bowen called the meeting to order at 7:30 p.m. in the main room of the Madison Health Department, 28 Walnut Street, Madison, New Jersey. The Pledge of Allegiance was recited by all.

STATEMENT IN COMPLIANCE WITH THE OPEN PUBLIC MEETINGS ACT

The Secretary read the statement pursuant to the Open Public Meetings Act: “In compliance with the Open Meetings Act of the State of New Jersey, adequate notice of this meeting of the Board was provided in the following manner: On December 21, 2015, notice of this meeting was emailed to the Daily Record and the Madison Eagle and advance written notice of this meeting was posted on December, 2015 on the bulletin board at the Borough Hall and filed with the Municipal Clerk.”

ROLL CALL

The Board Secretary called the roll and the following acknowledged their presence:

Board Members:

Donald J. Bowen, President
Robert Catalanello, Council Liaison
Vivian Gil-Botero
Michael Giordano Alt #1
Sharon Harris
Marianne McConnell, Vice-President
Eric Range Alt #2 (left at 9:56 p.m.)
Carmen Romano
Constance Stober

Also Present:

Lisa Gulla, Health Officer
Joanne Grillo, Board Secretary
Peter King, Board Attorney

*Dr. Romano, Mr. Range, and Mr. Catalanello took oaths of office prior to start of the meeting.

AGENDA REVIEW

Dr. Bowen advised the Board members that there had been an executive session scheduled but two of the matters involved Rice notices to individuals who had requested discussions be held in open session. Consequently he recommended moving the 3 other items to open session and avoiding discussion of matters involving other specific personnel or contract issues.

APPROVAL OF MINUTES

Ms. McConnell moved approval of the **Regular Meeting Minutes of January 19, 2016**. Mrs. Stober seconded the motion which passed with the following roll call recorded:

- Yeas: Dr. Bowen, Ms. McConnell, Mrs. Stober, Mrs. Gil-Botero, Mr. Catalanello
- Nays: None
- Abstain: Mrs. Harris, Dr. Romano, (Mr. Giordano), (Mr. Range)

* Messrs. Giordano and Range were polled throughout the meeting. The votes of Alternate members are tallied only when needed for a quorum.

Mrs. Stober moved approval of the **Executive Minutes of January 19, 2016**. Ms. McConnell seconded the motion which passed with the following roll call recorded:

- Yeas: Dr. Bowen, Ms. McConnell, Mrs. Stober, Mrs. Gil-Botero
- Nays: None
- Abstain: Mrs. Harris, Dr. Romano, (Mr. Giordano), (Mr. Range), Mr. Catalanello

AGENDA DISCUSSIONS

20160216-A STRATEGIC PLAN

The Board discussed revisiting our Strategic Plan. The impetus for this discussion was the Madison Mayor & Council's rejection of our proposal to provide contract Health Education services to Mt. Olive Township and their concern that the cost of providing public health services to Madison residents remains generally higher than that incurred by neighboring towns.

Health Department finances were described in some detail and discussed.

A Strategic Plan subcommittee was formed consisting of Dr. Bowen, Dr. Romano, and Mr. Range and was asked to take a fresh look at our business plan with a goal to enhance efficiency and reduce costs. They were asked to report back to the Board.

An Expense & Procedures subcommittee was formed consisting of Dr. Bowen, Ms. McConnell, and Mrs. Stober and tasked to review non-salary expenses and expense procedures and report back to the Board.

20160216-B REHS STAFFING

Health Department REHS staffing levels were examined in some detail and discussed. It was observed that for the past 6 months the needs of the Madison and our 3 contract communities have been fully met with a single REHS staff member. The Personnel subcommittee was asked to take a look at staffing levels and explore opportunities to secure more contract revenue using existing headcount.

20160216-1 GULLA PERFORMANCE

This discussion concerning personnel matters was initially scheduled for a closed executive session. Ms. Gulla was Rice noticed and requested in writing that the discussion be held in public session. The course of the discussion is summarized below.

Madison's Health Officer position has long been structured to include supplemental REHS duties. This ensures:

- Enhanced oversight of full time REHS staff
- Flexible staffing to accommodate changes in work load
- Reduction of overtime expenses and overall costs

The structure of Madison's Health Officer position (including REHS tasks) was fully described to Ms. Gulla in the interview process. Ms. Gulla was hired in Sep-2012 with an explicit understanding she would obtain her REHS license and conduct regular REHS inspections as part of her overall service to the Borough. After repeated requests by the Board over 2 ½ years and ongoing delays (including a 1 year compassionate deferral granted by the Board at her request) Ms. Gulla obtained her REHS license in May-2015. Since getting her REHS license, despite ongoing requests to begin contributing as a supplemental REHS resource, Ms. Gulla has not performed any inspections.

At the Regular Meeting on 19-Jan-2016 Ms. Gulla informed the Board she would categorically refuse to perform any REHS inspections. Her stated reasons were twofold:

- She said it was not in her job duties
- She said she had no time in her calendar to perform such work

Having Ms. Gulla help supplement our REHS staff is an important part of our ongoing business plan to ensure quality service and to bring our costs into line with those of other towns. The continued viability of our Health Department may depend on it, so the Board must insist she comply.

The Board then examined and responded to Ms. Gulla's stated objections. After careful review the Board asserted:

- The task of regular REHS inspections is a necessary and lawfully given assignment.
- There is sufficient time in Ms. Gulla's calendar to perform a light schedule of regular REHS inspections.

Ms. Gulla was then specifically instructed to begin conducting REHS inspections immediately. Her goal is initially set at a minimum of 8 hours of regular REHS inspections per month, with more hours possible in the future.

Ms. Gulla was then asked if she would now comply with the Board's directive. A clear and affirmative response was not forthcoming. Ms. Gulla asked for a negotiated employment agreement and inquired about additional money. The Board was polled and all agreed (with one Alternate abstaining) that Ms. Gulla was not complying with the Board's request.

Dr. Bowen then moved that the Board confirm it holds Ms. Gulla is not in compliance and that a verbal warning be immediately issued saying the Board considers ongoing refusal to be an act of insubordination. Ms. McConnell seconded the motion which passed with the following roll call recorded:

Yeas: Dr. Bowen, Ms. McConnell, Mrs. Harris, Mrs. Stober, Dr. Romano,
Mr. Catalanello, (Mr. Range), Mrs. Gil-Botero
Nays: None
Abstain: (Mr. Giordano)

A verbal warning was given to Ms. Gulla stating the Board considers ongoing refusal of a necessary and lawfully given job assignment an act of insubordination.

The Personnel subcommittee was directed to institute a Performance Plan to address the situation and keep the Board apprised at frequent intervals.

The Personnel subcommittee was directed to begin work on relevant contingency plans.

Ms. Gulla was reminded that failure to comply will lead to additional disciplinary actions potentially up to and including termination.

20160216-D TROTMAN STATUS

This discussion concerning personnel matters was initially scheduled for a closed executive session. Ms. Trotman was Rice noticed and requested in writing that the discussion be held in public session. The course of the discussion is summarized below.

Tamica Trotman has been out on workman's comp since her August 2015 auto accident. The Board requested an update on her medical status and readiness to return to work.

Ms. Gulla stated that Ms. Trotman returned to work that day and had successfully completed two recommended driving courses. She has no restrictions on her work. The Board welcomed Ms. Trotman back.

20160216-C GROTTA GRANT

The Health Officer was reminded that there is some apprehension concerning GROTTA grant activities and the creation of unsustainable expectations among the public in Madison and contract towns. The Board asked that the Health Department staff involved be coached to be sensitive to the issue.

20160216-2 IMPROVEMENTS TO BOARD MEETING FORMAT AND PROCEDURES

Changes were made to the Board meeting agenda format to more closely match that used by the Mayor & Council. All supported the modified format. Members were reminded to inform the Board secretary if they are unable to attend meetings. A tracking spreadsheet for open action items was proposed.

20160216-3 IMPROVEMENTS TO MEETING MINUTE FORMAT

Changes were proposed to the Board meeting minutes format to more closely match that used by the Mayor & Council. Resolutions will be inserted as an appendix to enhance readability and reduce staff effort. All supported the modified format.

20160216-4 EMPLOYEE POLICIES AND CONFIDENTIALITY AGREEMENT

Employee policies were prepared by an intern at the request of the Health Officer. Ms. Gulla will distribute copies to the Board. The Personnel subcommittee is asked to review them and recommend what action to take. They are to submit an agenda item when ready. The Board generally seeks to harmonize our employee policies with those of the Borough.

20160216-5 BRIEFING ON ZIKA VIRUS LOCAL RESPONSE

Ms. Gulla gave an overview of current Zika Virus concerns. There are two suspect cases being monitored. Ms. Gulla attended a presentation to the Freeholder Board at the request of the Borough Administration and participates in weekly briefings.

Ms. Gulla reported she and Ms. Robinson are working on a website feature on the virus. Mrs. Harris suggested the first link should be to the CDC website for the most current information. Dr. Bowen and others expressed the belief that time spent generating generic web presentations about global health events is misplaced, and that actions should focus on meeting local health needs.

20160216-6 DRUG FREE COMMUNITIES GRANT APPLICATION

Ms. Bringgaard reviewed the Drug Free Communities grant, the Madison/Chatham Coalition (MCC), and her role as Coordinator. She outlined the Coalition goals and gave examples of how their efforts differ from those of the Madison Alliance Addressing Substance Abuse (MAASA), asserting there was no duplication of effort. The grant is \$125,000 a year for five years beginning 01-Oct-2016 and ending 30-Sep-2021. Matching grants will be from in-kind and other avenues available. The Board was assured by Ms. Bringgaard and the Health Officer that no additional financial responsibility or unfunded staff hours of any kind would be incurred.

Mrs. Stober moved approval of **RESOLUTION BH 2016-14 RESOLUTION REQUESTING MADISON BOROUGH TO APPROVE AN APPLICATION FOR THE DRUG FREE COMMUNITIES GRANT**. Ms. McConnell seconded the motion which passed the following roll call recorded:

- Yeas: Dr. Bowen, Ms. McConnell, Mrs. Harris, Mrs. Stober, Dr. Romano, Mr. Catalanello, (Mr. Range), Mrs. Gil-Botero
- Nays: None
- Abstain: (Mr. Giordano)

[Mr. Range left the meeting at this time.]

20160216-7 MILLBURN ANIMAL CONTROL CONTRACT

The Millburn Animal Control contract was presented to the Board for their approval at the request of the Borough. Once approved the Mayor and Council will vote on it. While there were some concerns expressed, Dr. Bowen advised that the coverage is already being provided and that owing to the late date any issues would probably best be addressed sometime before a 2017 renewal.

Ms. McConnell moved to approve **RESOLUTION BH 2016-13 RESOLUTION REQUESTING MADISON BOROUGH TO ENTER INTO AN INTERLOCAL SERVICES AGREEMENT WITH THE TOWNSHIP OF MILLBURN AND THE TOWNSHIP OF LIVINGSTON FOR ANIMAL CONTROL SERVICES**. Mrs. Stober seconded the motion which passed the following roll call recorded:

- Yeas: Dr. Bowen, Ms. McConnell, Mrs. Harris, Mrs. Stober, Dr. Romano, Mr. Catalanello, Mrs. Gil-Botero
- Nays: None
- Abstain: (Mr. Giordano)

INVITATION FOR PUBLIC COMMENT

Mrs. Dolan, Public Health Nursing Supervisor, commented on the Zika Virus. She advised that the Health Department is working in collaboration with Drew

Health Services to share information with students who may be traveling to affected areas.

CONSENT AGENDA RESOLUTIONS

Ms. McConnell moved to approve **RESOLUTION BH 2016-12 A RESOLUTION OF THE BOROUGH OF MADISON BOARD OF HEALTH APPOINTING A MEDICAL DIRECTOR**. Mrs. Stober seconded the motion which passed the following roll call recorded:

Yeas: Dr. Bowen, Ms. McConnell, Mrs. Harris, Mrs. Stober, Dr. Romano,
Mr. Catalanello, Mrs. Gil-Botero
Nays: None
Abstain: (Mr. Giordano)

UNFINISHED BUSINESS

None.

APPROVAL OF BILLS PAYABLE

Ms. McConnell moved payment of bills. Mrs. Stober seconded. Bills for food consumed at staff meetings were questioned. The Health Officer was reminded that using Borough funds to pay for food at staff meetings was contrary to Borough convention and she was asked to refrain from the practice.

Yeas: Dr. Bowen, Ms. McConnell, Mrs. Stober, Mrs. Gil-Botero, Mrs.
Harris, Dr. Romano, Mr. Catalanello
Nays: (Mr. Giordano)
Abstain: None

ADJOURNMENT

There being no further business to come before the Board, a motion to adjourn was made by Ms. McConnell and seconded by Mrs. Stober. All present voted in favor and the meeting was adjourned at 10:13 p.m.

Respectfully submitted,

Joanne Grillo, Secretary

**BOARD OF HEALTH
BOROUGH OF MADISON
MORRIS COUNTY, NJ**

RESOLUTION NO. BH. 2016-12

**A RESOLUTION OF THE BOROUGH OF MADISON
BOARD OF HEALTH APPOINTING A MEDICAL DIRECTOR**

WHEREAS, the Board of Health pursuant to N.J.S.A. 26:3-19 is provided with the authority to appoint and employ such personnel as it deems necessary to carry into effect the powers vested in it by the laws of New Jersey.

NOW, THEREFORE, BE IT RESOLVED, by the Borough of Madison Board of Health that:

- 1) **Appointment**- The Borough of Madison Board of Health does hereby appoint Dr. Rohini Jobanputra as Medical Director, to carry out [his/her] job pursuant to and not limited to the job description attached hereto and made a part of this Resolution and the laws of the State of New Jersey, as of January 1, 2016 until December 31, 2016, at a yearly salary to be set by the Board of Health by way of a Salary Ordinance, not to exceed \$2,500.00 per year;
- 2) **Oath of Office**- Within ten (10) days of the passage of this Resolution, the Health Officer will take the Oath of Office and file same with the Board of Health;
- 3) **Severability**- If any section, clause, or portion of this resolution is declared invalid by a court of competent jurisdiction, the remainder shall not be affected thereby and shall remain in full force and effect;
- 4) **Effective Date**- This Resolution shall become effective immediately upon passage; and
- 5) **Certification of funds**-, the Chief Financial Officer of Madison Borough has certified that the funds are available for this appointment at last year's rate, subject to the adoption of the 2016 municipal budget.

ATTEST:

Joanne Grillo, Secretary

BOARD OF HEALTH
BOROUGH OF MADISON

Date: February 16, 2019

Donald J. Bowen, President

**BOARD OF HEALTH
BOROUGH OF MADISON
MORRIS COUNTY, NJ**

RESOLUTION NO. BH 2016-13

**RESOLUTION REQUESTING MADISON BOROUGH TO ENTER INTO AN
INTERLOCAL SERVICES AGREEMENT WITH THE TOWNSHIP OF MILLBURN
AND THE TOWNSHIP OF LIVINGSTON FOR ANIMAL CONTROL SERVICES.**

WHEREAS, the Borough of Madison has previously contracted with the Township of Millburn and the Township of Livingston to provide animal control services; and

WHEREAS, the Borough of Madison would be the recipient of said services and the Township of Millburn and the Township of Livingston would be the providers of said services, and the Borough of Madison shall pay to the Township of Millburn and the Township of Livingston the cost of the services, not to exceed \$20,000.00 per year, as described in the Interlocal Services Agreement; and

WHEREAS, the Borough of Madison's Animal Trust Account has the funding to support this contract; and

WHEREAS, the proposed Interlocal Services Agreement would be for a period of two-years, commencing on January 1, 2016 and terminating on December 31, 2018 with a provision that either party may terminate its participation in the Agreement by giving the other party 60 days written notice in advance;

NOW, THEREFORE, BE IT RESOLVED, that the Madison Board of Health recommends that the Madison Borough governing body enter into Interlocal Services Agreement with the Township of Millburn and the Township of Livingston for a period of two-years, commencing on January 1, 2016 and terminating on December 31, 2018 and total not to exceed \$20,000.

BE IT FURTHER RESOLVED that a copy of this resolution be made immediately available to the Madison Borough Council upon passing.

Attest:

Adopted and Approved

Date:

Joanne Grillo, Secretary

Donald J. Bowen, President

**BOARD OF HEALTH
BOROUGH OF MADISON
MORRIS COUNTY, NJ**

RESOLUTION NO. BH 2016-14 _____ -

**RESOLUTION REQUESTING MADISON BOROUGH TO APPROVE AN
APPLICATION FOR THE DRUG FREE COMMUNITIES GRANT**

WHEREAS, The Madison/Chatham Coalition for A Healthy Community (MCCHC) has met all requirements to apply for the \$125,000 Drug Free Communities (DFC) Grant on behalf of Madison and The Chathams; and

WHEREAS, this coalition will function to minimize and prevent substance abuse in our communities; and

WHEREAS, the grant will run from September 30, 2016 through September 29, 2017 and will be renewable for up to nine (9) additional years, to off-set the costs associated with the coalition; and

WHEREAS, there is a 100% match requirement that will be met through existing resources and in-kind donations and will not require additional funds from any of the involved communities; and

WHEREAS, additional resources will need to be included in the Madison Department of Health's budget, not to exceed \$125,000, which will be reimbursed by way of a grant should the application be successful.

NOW, THEREFORE, BE IT RESOLVED, that the Madison Board of Health recommends that the Madison Borough governing body approves the Madison Chatham Coalition and Madison Health Department to make application for the \$125,000 Drug Free Communities grant.

IT IS FURTHER RESOLVED that this Resolution shall become effective immediately upon passage.

ATTEST:

ADOPTED AND APPROVED
February 16, 2016

Joanne Grillo, Secretary

Donald J. Bowen, PhD, President