

**Township of Bloomfield Board of Health**  
**Meeting Minutes**  
**January 17, 2008**

The January 17, 2008 Regular Meeting of the Bloomfield Board of Health, as established by public record in the Bloomfield Life and The Independent Press and posted on the public bulletin board in the Municipal Building was called to order by President Elkins at 7:00 p.m. in Room 205 (Council Conference Room) of the Law Enforcement Building.

The following members were present:

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

Also present was Trevor J. Weigle, Secretary to the Board and Director of Health & Human Services, Karen Lore, Human Services Supervisor and Donna Williams, Public Health Nurse Supervisor.

The minutes of the December 13, 2007 Board of Health meeting were approved on a motion by J. McLaughlin and second by M. Stark.

The President asked if any citizen wished to be heard on any matter of public health. No one came forward.

The December 2007 establishment licenses and permits were approved on a motion by J. McLaughlin and second by J. Ponticello. All members voted in the affirmative.

The December 2007 communications were reviewed by the Board. There were no questions or comments.

The Director presented his December 2007 report of activities.

- The Director distributed a letter from the Nutley Police Department commending the Department and a copy of an article from the Star Ledger in reference to a house fire where approximately 80 cats were rescued and/or recovered.
- The Council Liaison questioned why a meeting was held with the Bloomfield/Glen Ridge Animal League. The Director and K. Lore explained that the meeting was in reference to the spay and neuter policy and briefly explained that policy.
- The Director introduced Donna Williams, the Public Health Nurse Supervisor and Karen Lore, the Human Services Supervisor the new Board members. Both briefly presented the responsibilities and services their Divisions provide. Board members asked several questions of each.

- The Director distributed a document from Vincent Nicosia, Environmental Health Supervisor highlighting the responsibilities and services of that Division. The Board asked that Vincent Nicosia and Michael Hodges come to the next meeting and share with the Board their respective Division's responsibilities and services.

The Board asked the Director and Divisions Supervisors to come to the next meeting with their Division's mission and goals and most pressing resource needs especially in light of the upcoming budget presentation to the Mayor & Township Council.

The Health Director's December 2007 report was accepted on a motion by J. Ponticello and second by M. Stark. All members voted in the affirmative.

A discussion ensued on how the Animal Control Account is funded and how the balance is determined at any given time. The President suggested that some of the Board's questions and concerns regarding the Animal Control Account may now be answered as the Township has a new Finance Director. The December 2007 financial report was accepted on a motion by J. McLaughlin and second by M. Stark. All members voted in the affirmative.

The Council Liaison, Councilwoman Barker was asked if she had anything to report. The Councilwoman noted that the Council just received the Township's 2006 Report of Audit. The Councilwoman informed the Board that the Audit noted that several monthly reports from the Department to the State reporting the number of dog licenses issued contained errors. The Report of Audit recommended that additional care be taken in this process and all un-issued dog tags be kept on hand to assure proper accounting. This was a repeated finding and recommendation. The Director explained the reason for the findings and informed the Board of what actions were taken to assure that the same did not occur in 2007.

The following Ordinance was introduced on second reading on a motion by J. McLaughlin and second by M. Stark. All members voted in the affirmative.

**AN ORDINANCE TO AMEND THE ORDINANCES OF THE TOWNSHIP OF BLOOMFIELD'S BOARD OF HEALTH BY ADDING A NEW CHAPTER, CHAPTER 324, TO BE ENTITLED OFFICERS AND EMPLOYEES, WHICH CHAPTER PROVIDES FOR THE ORGANIZATION OF THE BOARD OF HEALTH, BOARD OF HEALTH PROCEDURES AND LOCAL HEALTH DEPARTMENT**

**BE IT ORDAINED BY THE BOARD OF HEALTH OF THE TOWNSHIP OF BLOOMFIELD AS FOLLOWS:**

**ARTICLE I, Title.**

**§ 324-1. Title.**

This chapter shall be known and may be cited as "Officers and Employees of the Board of Health of The Township of Bloomfield"

**ARTICLE II, Board of Health.**

**§ 324-2. Organization.**

The Board of Health shall organize annually in January and shall elect a President, Vice President and a Secretary and such other officers as the Board may deem necessary, all of whom shall hold office for one year and conduct any and all acts necessary to accomplish the statutory requirements of a Board of Health.

**§ 324-3. Purpose.**

The Board of Health, a legally constituted body of the Township of Bloomfield, New Jersey, as authorized by N.J.S.A. 26:3-1 and Chapter 5, Administration of Government of the Code of the Township of Bloomfield shall exist as is required by such authority to pass, alter or amend ordinances and resolutions and make and modify rules and regulations pertaining to the health of the residents and occupants of this Municipality and to appoint officers and employees, fix their salaries and duties and establish appropriate policy and procedure for the Board's employees and agents.

**§ 324-4. Quorum and Meetings.**

- A. Regular Meetings. Regular meetings shall be held once per month as published in the newspaper of record for the Board and posted on the public bulletin board in the Municipal Building located at 1 Municipal Plaza. The Board shall meet to determine and establish the rules of its own proceedings, to pass, promulgate, amend or adopt rules, regulations, orders, ordinances, bylaws and resolutions pertaining to the purposes and objectives of the Board as may be necessary to properly carry out the provisions of applicable state laws governing the powers and duties of local Boards of Health.
- B. Special Meetings. At the Discretion of the President of the Board or any three (3) members thereof, and with notice given in accordance with the New Jersey Open Public Meetings Act and notice to each Board Member a Special Meeting may be called.
- C. Quorum. A quorum shall be necessary to conduct any official business of the Board. A quorum shall be three (3) members of the Board. In the case where there exists a vacancy on the Board, a majority of sitting members shall constitute a quorum.
- D. Order of Business. The order of business at the meetings of the Board shall be as follows:
  - (1) Call to Order
  - (2) Sunshine Law Statement
  - (3) Roll Call
  - (4) Approval of Minutes of the previous regular meeting and subsequent special meetings
  - (5) Public Comment
  - (6) Licenses
  - (7) Communications
  - (8) Reports
  - (9) Unfinished Business
  - (10) New Business
  - (11) Closed Session
  - (12) Adjournment

**§ 324-5. Duties of Officers of the Board of Health.**

- A. It shall be the duty of the President of the Board of Health to preside at all meetings of the Board and to perform all duties usually pertaining to this office.
- B. The Vice-President of the Board of Health shall perform all duties of the President in the absence or disability of the President.

- C. In the case that a quorum is present and neither the President nor Vice-President is present the remaining members shall take a vote to decide who shall preside.
- D. The Secretary of the Board shall keep minutes of all proceedings and record the same. In the absence or disability of the Secretary to the Board, an employee designated by the Secretary or Board shall perform the duties of the Secretary to the Board.

**ARTICLE III, Employees.**

**§ 324-6. Divisions, Titles, Employees and Salaries.**

All employees employed by the Board of Health prior to November 16, 1993 shall be entitled to additional compensation based on longevity provisions established by the Board of Health up to a maximum of 10% of their annualized salary.

A. Chief Executive Officer. The Board shall appoint a full-time Health Officer to be its general agent for the enforcement of its ordinances and the sanitary laws of the State and act as its Chief Executive Officer in all matters of the Board. In addition the Health Officer shall be required to:

- (1) Unless otherwise excused from, attend all meetings of the Board of Health.
- (2) Prepare an annual budget for Board review and approval.
- (3) Function as custodian of official records of the Board of Health and the Local Health Department.
- (4) Complete and submit all reports or forms required of a Local Board of Health to any appropriate Federal, State or Local agency.
- (5) Inform the Board on all matters, instructions and notices necessary for the Board to carry out its legal responsibilities.
- (6) Act as the Board's agent as customary for Chief Executive Officers and Health Officers in all matters pertaining to the management of a Local Health Department and its personnel.
- (7) Oversee the Supervisors of each Division within the Department and employees who by the nature of their position do not have a Division Supervisor.
- (8) Report to the Board, on a monthly basis, major activities of the Local Health Department.
- (9) Prepare and deliver a State of the Health of the Municipality report annually.
- (10) The salary for this position shall be in accordance with a five (5) step salary range of \$91,579 - \$114,474

B. Administration Division. The Administration Division shall be responsible for the typical clerical and Vital Statistic responsibilities of a Local Health Department. The Administrative Division shall consist of the following titles and salary ranges attendant thereto. The salaries established herein are subject to incremental pay steps established by the Board.

- (1) Confidential Secretary: Salary range \$33,132 - \$53,167.
- (2) Registrar of Vital Statistics: Salary range \$34,245 – \$51,122.
- (3) Administrative Clerk/Deputy Registrar of Vital Statistics: Salary range \$31,860 - \$48,530.
- (4) Clerk Typist(s): Salary range \$23,405 – \$34,552.

C. Environmental Division. The Environmental Division shall be responsible for the typical sanitary protection responsibilities of a Local Health Department as referenced in the State Sanitary Code, The Public Health Practice Standards of Performance for Local Boards of Health in New Jersey, the Ordinances of the Board of Health of The Township of Bloomfield and other appropriate State regulations and mandates. The Environmental Division shall consist of the following titles and salary ranges attendant thereto. The salaries established herein are subject to incremental pay steps established by the Board.

- (1) Chief Sanitary Inspector who shall serve as the Environmental Division Supervisor: Salary range \$52,304 - \$84,147.

(2) Sanitary Inspector(s): Salary range \$36,815 - \$54,960.

D. Animal Control Division. The Animal Control Division shall be responsible for the typical animal control facility and animal control responsibilities of a New Jersey Municipality as referenced in N.J.S.A. 4:19, The Code of The Township of Bloomfield, the Ordinances of the Board of Health of The Township of Bloomfield and other appropriate State regulations and mandates. The Animal Control Division shall consist of the following titles and salary ranges attendant thereto. The salaries established herein are subject to incremental pay steps established by the Board.

(1) Animal Control Facility Manager who shall serve as the Animal Control Division Supervisor: Salary range \$52,304 - \$84,147.

(2) Animal Control Officer(s): Salary range \$34,245 - \$51,122.

(3) Agency Aide(s): Salary range \$24,365 - \$29,474.

(4) Animal Attendant(s): Salary range \$24,365 - \$29,474.

D. Human Services Division. The Human Services Division shall be responsible for clinical outpatient mental health services and community-based social work services. The Human Services Division shall consist of the following titles and salary ranges attendant thereto. The salaries established herein are subject to incremental pay steps established by the Board.

(1) Director of Social Work Services who shall serve as the Human Services Division Supervisor: Salary range \$52,304 - \$84,147.

(2) Social Work Specialist(s): Salary range \$36,815 - \$54,960.

(3) Social Services Assistant/Typing (Typists): Salary range \$25,448 - \$37,182.

E. Public Health Nursing Division. The Public Health Nursing Division shall be responsible for community health nursing and health education services typical of a Local Health Department as referenced in The Public Health Practice Standards of Performance for Local Boards of Health in New Jersey, the Ordinances of the Board of Health of The Township of Bloomfield and other appropriate State regulations and mandates. The Public Health Nursing Division shall consist of the following titles and salary ranges attendant thereto. The salaries established herein are subject to incremental pay steps established by the Board.

(1) Public Health Nurse Supervisor who shall serve as the Public Health Nursing Division Supervisor: Salary range \$52,304 - \$84,147.

(2) Physician: Salary \$13,835.

(2) Public Health Nurse(s): Salary range \$36,815 - \$54,960.

(3) Graduate Nurse(s): Salary range \$31,602 - \$45,543.

(4) Health Educator(s): \$36,815 - \$54,960.

(5) Clerk Typist (Typists): \$23,405 - \$34,552.

F. Legal Counsel. The Board of Health may hire an attorney to act as legal advisor of the Board, attend its meetings, represent the Board of Health or Local Health Department in litigation to which it may be a party and perform all such other legal services as may, from time to time, be required by the Board of Health.

G. No individual may serve in a title requiring a State license or certification without having such a valid license or certification.

H. The Board of Health may employ such other personnel as it may deem necessary, including technicians, inspectors, nurses, social workers and others on a permanent, temporary or contractual basis, including temporary independent contractors on a part-time or limited basis not to exceed sixty (60) days, as necessary to carry out the powers vested in the Board of Health by law. All personnel shall, where required, be appropriately licensed or certified.

- I. The Board of Health shall fix the duties and compensation of every appointee of the Board of Health.
- J. The Board of Health may employ part-time employees under the above and enumerated titles on an hourly basis and said compensation shall be fixed within the salary range guidelines.

**ARTICLE IV, General Provisions.**

**§ 324-7. Power to make rules and regulations and adopt and amend ordinances.**

The Board of Health may enact and amend health ordinances, and make and alter necessary rules and regulations in the execution of any power delegated to it or in the performance of any duty imposed upon it by law.

**§ 324-8. Adoption of ordinances and resolutions.**

Ordinances may be introduced and read on first and second reading by reading the title only. Upon the adoption of any amendment following second reading, the amended ordinance shall take the course prescribed by law. Copies of each ordinance and resolution, in printed or typewritten form, bearing a notation by the Board Attorney as to his approval as to form and legality, shall be forwarded by the Secretary to the Board to each Board Member at least forty-eight (48) hours prior to introduction, provided that the failure of the Secretary to the Board to make such forwarding shall not invalidate any action taken by the Board.

**§ 324-9. Hearings.**

Any person feeling aggrieved at the official action of the Board or any of its members or employees shall be entitled to a hearing during any regular meeting of the Board. In the event that the Board determines that additional time or further consideration is necessary, the Board in its sole discretion may adjourn and reschedule the meeting and/or hearing and conduct additional investigation and/or research or the like before making its final decision.

**§ 324-10. Inspection and Right of entry.**

A. Inspection of premises. The Board of Health, its agents and employees shall have the right to inspect any premises in the Township of Bloomfield if they have reason to believe that any provision of this chapter or any health related ordinance is being violated, or as part of a regular program of inspection.

B. Search warrant. If the owner or occupant of any premises refuses to permit entry for the purpose of inspection, the Board of Health may apply to the Municipal Judge for a search warrant. The application shall be based upon an affidavit setting forth that the inspection is part of a regular program of inspection or that conditions and circumstances provide a reasonable basis for believing that a nuisance or unsanitary or unhealthy condition exists on the premises. If the Judge is satisfied as to the matters set forth in the affidavit, he shall authorize the issuance of a search warrant permitting access to and inspection of the premises.

**§ 324-11. Severability.**

The provisions of this ordinance are declared to be severable, and if any section, subsection, sentence, clause or part thereof is, for any reason, held to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of any remaining sections, subsections, sentences, clauses or part of this ordinance.

**§ 324-12. Repealer.**

Any ordinances or parts of ordinances inconsistent herewith are hereby repealed.

**§ 324-13. Effective Date.**

This ordinance shall become effective in accordance with law.

The Director presented a copy of the operating budget to the Board. The Board asked questions about the budget as presented and the Township's budget process in general. A discussion ensued regarding the Animal Control Account. The Director stated that the capital budget any changes to the operating budget will be provided under separate cover. The Board requested that a summary of all budget accounts be provided.

The following Resolution was passed on a motion by J. McLaughlin and second by J. Ponticello. All members 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, 2008; and

**WHEREAS**, John M. Barbarula, Barbarula Law Offices, has indicated it will continue to act as the Attorney for the Board Of Health of the Township of Bloomfield in accordance with the terms of their current contract; and

**WHEREAS**, John M. Barbarula and Barbarula Law Offices has completed and submitted a Business Entity Disclosure Certification which certifies John M. Barbarula, Barbarula Law Offices 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 John M. Barbarula, Barbarula Law Offices, 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 John M. Barbarula, Barbarula Law Offices 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.

The following Resolution was passed on a motion by M. Stark and second by J. McLaughlin. All members voted in the affirmative.

**R E S O L U T I O N – S O C I A L W O R K S U P E R V I S O R T I T L E**

**WHEREAS**, Karen Lore currently serves in the New Jersey Civil Service title, Social Case Work Supervisor, for the Board of Health of the Township of Bloomfield in the Department of Health & Human Services; and

**WHEREAS**, the Civil Service title, Director of Social Services is more consistent with the type of work performed by the current Social Case Work Supervisor; and

**WHEREAS**, under Civil Service rules, the title Director of Social Services is a promotion over the title Social Case Work Supervisor; and

**WHEREAS**, the Board of Health's Director of Health & Human Services recommends that Karen Lore be placed in the title Director of Social Services according to current Civil Service procedures; 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**, Board of Health Ordinance, Chapter 324, Officers & Employees establishes the positions and salaries thereof for its employees.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Health of the Township of Bloomfield, New Jersey that Karen Lore be placed in the Civil Service title Director of Social Services without additional numeration effective February 4, 2008.

The following Resolution was passed on a motion by J. McLaughlin and second by J. Ponticello. All members voted in the affirmative.

**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](http://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](http://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 is not precluded from utilizing its official legal newspaper for notification when it so desires.

The following Resolution was passed on a motion by J. McLaughlin and second by M. Stark. W. Padilla stated that he abstained from voting because of his position with the University whose hospital provides the TB services that the Board is voting on in the above resolution. All other members voted in the affirmative.

**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.

The following Resolution was passed on a motion by J. McLaughlin and second by J. Ponticello. All members voted in the affirmative.

**R E S O L U T I O N – DESIGNATING 2008 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 2008 Holiday Schedule for non-contractual/non-unionized employees of the Board:

**2008 HOLIDAY SCHEDULE**

New Year's Day	Tuesday, January 1 <sup>st</sup>
Martin Luther King, Jr. Day	Monday, January 21 <sup>st</sup>
President's Day	Monday, February 18 <sup>th</sup>
Good Friday	Friday, March 21 <sup>st</sup>
Memorial Day	Monday, May 26 <sup>th</sup>
Independence Day	Friday, July 4 <sup>th</sup>
Labor Day	Monday, September 1 <sup>st</sup>
Columbus Day	Monday, October 13 <sup>th</sup>
Veteran's Day	Tuesday, November 11 <sup>th</sup>
Thanksgiving Day	Thursday, November 27 <sup>th</sup>
Day after Thanksgiving	Friday, November 28 <sup>th</sup>
Christmas Day	Thursday, December 25 <sup>th</sup>
Floating Holiday	Taken at discretion of employee and Approved by Director

The following Resolution was passed on a motion by J. McLaughlin and second by J. Ponticello. All members 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 2008 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

The Director asked permission to post a request for qualifications for a feasibility study for shared Animal Shelter/Control services under the State's new shared services grant program. After describing the process the permission was granted.

The following Resolution was passed to move to closed session at 8:52 p.m. on a motion by J. Ponticello and second by J. McLaughlin. All members 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.
X	(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 open portion of the meeting resumed at 9:55 p.m.

The minutes of the closed session of the December 13, 2007 meeting were passed on a motion by J. McLaughlin and second by M. Stark.

The following Resolution was passed on a motion by J. McLaughlin and second by M. Stark. All members voted in the affirmative.

**RESOLUTION CLARIFYING UNION REPRESENTATION OF  
BOARD OF HEALTH EMPLOYEES**

**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. 26:3-19 allows a local Board of Health to employ such employees as it deems necessary and fix the duties and compensation of every appointee; 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 recognizes that certain employees of the Board of Health believe they are Township employees represented by the Office & Professional Employees International Union Local 32; and

**WHEREAS**, the Board of Health has not negotiated a collective bargaining agreement with the Office & Professional Employees International Union or any other Union; and

**WHEREAS**, the Board of Health has not been approached by any Union expressing interest in representing the employees of the Board of Health; and

**WHEREAS**, the Board of Health has not received any representation petition regarding Union representation.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Health of the Township of Bloomfield does not recognized any union or collective bargaining agreement with its employees; and

**BE IT FURTHER RESOLVED** that because Board of Health employees are not represented by a Union, the Board of Health is free to establish terms and conditions of employment for its employees including holidays which will be established by separate Resolution.

The President asked if there was any further business the Board wished to discuss. There was none.

The January 17, 2008 Board of Health meeting was adjourned at 10:00 p.m. on a motion by J. McLaughlin and second by M. Stark.

Respectfully Submitted,

Trevor J. Weigle, Director  
Secretary to the Board