

CHATHAM BOROUGH BOARD OF HEALTH
 Thursday, September 8, 2016 7:00 p.m.

Chairman Lisa DeRosa called this Chatham Borough Board of Health meeting to order at 7:00 p.m., in Room 212, middle level, Chatham Municipal Building.

Pursuant to the requirements of the Open Public Meetings Act, N.J.S.A. 10: 4-6 et. seq., adequate notices of this meeting has been provided by including same in the Annual Notice, copies of which were posted on the Municipal Bulletin Board, on the main floor of the Municipal Building, filed in the office of the Borough Clerk, emailed to the Chatham Courier.

Names	Present	Absent
Lisa DeRosa, Chrmn.	X	
Dr. Norman Schaefer		X
Rita Marts, R.N.	X	
Mary Ann McCabe	X	
Tamica Trotman, R.E.H.S.		X
Ben Samara, R.E.H.S.	X	
Council Member Hoffman		X
Micki Chaput	X	
Kay Kaiser, R.N.	X	
Lisa Gulla, Health Officer	X	
Dr. Derek Shendell		X
Liz Holler, Rec. Sec.	X	

Also present:

Lisbeth Bringgard, Coordinator Madison/Chatham Coalition, Madison Health Department

Dr. Donald Bowen, Chairman, Madison Board of Health

Resolution #15-10

The meeting minutes of June 11, 2016 were approved as amended.

Public Comment

There was none.

R.E.H.S. – Report

Mr. Samara summarized his inspection reports for July 2016 and August 2016.

Chrmn. DeRosa noted that the Flu Clinic will be held on October 8th in the Parish Center of St. Patrick Church.

Mr. Samara noted that an arts & crafts festival is being held this Sunday, Sept. 11th at the train station parking lot. He confirmed with Ms. Gulla that food vendors will be present.

Health Officer Report

Mrs. Gulla reported that one case of viral meningitis has occurred at Madison High School. The patient has been released from quarantine at the hospital.

Mrs. Gulla also reported that the State Health Dept. has decided that the local health departments should be the ones to approve all Zika testing. She explained how Zika questionnaires will be processed by a local health department.

Ms. Gulla gave an update on the Tri-Town 55 Plus Program. This program will be receiving a Phase Two grant. A power-point presentation will be done on this at the September 26th Borough Council. Also, Breast Cancer Awareness month will be discussed at this meeting. Mrs. Gulla encouraged any Board members available that night to attend this particular Council meeting.

Mrs. Gulla reported that unfortunately the full grant for the Drug-Free Communities has been denied. However, a renewal of the mentoring will continue for another year. An attempt will be made again to obtain this full grant.

Mrs. Gulla also reported that Samantha Robinson, the Health Educator, has resigned. Ms. Robinson will be appointed the Executive Director of the Tri-Town 55-Plus Coalition. Ms. Gulla is temporarily taking on the responsibilities of Health Educator.

Updating of Retail Food Establishment Fees

Chrmn. DeRosa noted that Robin Kline, the Municipal Clerk, asked that the Board update these fees. Mrs. Gulla has undertaken this assignment.

Mrs. Gulla reported that she has created a spreadsheet of Madison's Fees, in order to compare them with Chatham Borough's fees. Ms. Gulla pointed out that

Chatham Borough's summons fee and penalty fees need updating. Robin Kline, the Chatham Municipal Clerk, is very familiar with the Code and should be kept in the loop about this matter. Mrs. Gulla noted that Madison Borough's violation fee is up to \$500 and up to 90 days in prison per offense. Mrs. Gulla and Chrnm. DeRosa will meet with Ms. Kline to discuss what currently exists in this particular Borough ordinance. Ms. Gulla suggested a comparison be done with the Madison ordinance on fees.

Board members asked what were Chatham Township's fees. Ms. Gulla and Mr. Samara didn't know. They guessed the Township's fees were similar to the Borough's.

Mrs. Gulla pointed out that most of Chatham's fees are lower than those of Madison. Mrs. Gulla suggested the time-frame the Board should follow in order to have these new fees set up in an ordinance. Mrs. Gulla will send the Madison fees by PDF to Ms. Holler. A meeting will be set up with Ms. Kline.

New Business

Dr. Donald Bowen, Chairman, Madison Board of Health

Chrnm. DeRosa introduced Dr. Bowen to the Board. She reported that Dr. Bowen, the Mayor of Chatham, the Mayor of Madison, Borough Administrator Bob Falzarano and herself had recently held a meeting. The meeting had to do with Chrnm. DeRosa's ongoing concerns about the oversight made by the Madison Board of Health. Dr. Bowen agreed to come to tonight's meeting to answer questions.

Chrnm. DeRosa had asked Dr. Bowen, by e-mail, for the Strategic Document that he has been referring to at meetings. Dr. Bowen then had e-mailed Chrnm. DeRosa back stating that there was no Strategic Plan Document. Chrnm. DeRosa explained that the reason she has been asking for this Strategic Plan Document was that the January to May Madison Bd. of Health minutes show many policy goals and decision-making had been discussed. She wondered what written document was guiding Dr. Bowen and the Madison Bd. of Health in making these decisions.

Dr. Bowen noted that he had seen the Chatham Borough Mission Statement posted in the elevator on the way to tonight's meeting. Similar to this Mission Statement, the goal of the Madison Board of Health, like this Chatham Borough Mission Statement, is trying to provide the best public health services at a sufficient and sustainable cost. Regarding any decisions being made, Dr. Bowen explained what he felt were the differences between the Chatham Bd. of Health and the Madison

Bd. of Health. Madison has decided to run its own health department. To defray the cost of this, Madison seeks contracts with other towns. He reviewed the many responsibilities of the Madison Bd. of Health.

Regarding responsibilities, Chrnm. DeRosa confirmed with Dr. Bowen that the Madison Bd. of Health has to follow what the State wants them to do, not how the Board feels they should follow. Chrnm. DeRosa reviewed the many understood functions of the Madison Bd. of Health.

Chrnm. DeRosa wanted to discuss the recent resignation of the Health Educator. Chrnm. DeRosa had noticed a demoralization of the Madison Health Department after attending recent meetings. She still wanted to know what Dr. Bowen had based his decisions and goals on. Specifically, why is Lisa Gulla in violation of not doing R.E.H.S. duties. Where in an official document, does it state that Mrs. Gulla should be doing a specific responsibility?

Dr. Bowen answered that it is public knowledge that the Madison Board of Health currently has an ongoing labor dispute with their Health Officer, Mrs. Gulla. It is mentioned in the Madison Board of Health meeting minutes. Because of potential litigation, Dr. Bowen stated that he is not at liberty to discuss this matter in depth.

Chrnm. DeRosa asked where in the Madison Bd. of Health's policy or strategic plan or goals, did this matter get to be in the Madison BOH's meeting minutes? She asked Dr. Bowen on what basis did he decide that Mrs. Gulla was in violation? There was no mention of Mrs. Gulla being required to do mandatory R.E.H.S.

Dr. Bowen answered that he can't get into the legal dispute; however, he felt that he and Chrnm. DeRosa had different recollections of what was asked and what was discussed at the 2012 interviews.

Chrnm. DeRosa asked if this mandatory R.E.H.S. was written down somewhere?

Dr. Bowen answered that he said he "was not eager to go down that path".

Chrnm. DeRosa felt that according to the Madison BOH minutes, he had already gone down that path. She noted Mrs. Gulla had been reprimanded by the Personnel Dept. for not fulfilling the R.E.H.S. Chrnm. DeRosa asked if this responsibility was in the Board's policy.

Dr. Bowen said it was the assertion of the Madison BOH that this mandatory R.E.H.S. was part of the discussion in the initial interview. It was written that Mrs. Gulla would get her R.E.H.S. license in her hiring agreement.

Mrs. Gulla confirmed that she had been asked to obtain her R.E.H.S. license.

Dr. Bowen stressed that this R.E.H.S. license request was not something that came out of the blue. It had been a long-standing request.

Chrmn. DeRosa questioned the mandatory part of this matter. How did the eight hours and additional requests come about?

Dr. Bowen reminded Chrmn. DeRosa that he was not an attorney. However, he recalled that the Madison BOH has made a request that the agreement to do inspections be honored. There was a lack of an affirmative response. Dr. Bowen felt that the Madison BOH had made it very clear this is the request of the employer, to do these inspections. Since a clear and affirmative response was not received, the employee was deemed to be in a state of insubordination.

Chrmn. DeRosa asked that shouldn't there be clear goals and functions, so that the Health Department knows where he is coming from? She felt that Dr. Bowen should also be accountable to the Board. Chrmn. DeRosa also pointed out that there should be a great deal of communication between her and Dr. Bowen, as the two Board Chairmen. Chrmn. DeRosa stated that the R.E.H.S. situation should have been communicated with the Chatham Board of Health. The monthly visits of the R.E.H.S. inspectors are mentioned in the Board of Health contract between Madison and Chatham Borough.

Chrmn. DeRosa felt that the Madison Board of Health was very demoralized right now. Dr. Norman Schaefer, a member of the Chatham Board of Health, who couldn't make tonight's meeting, but had read the pertinent minutes and the orientation manual for Boards of Health. Dr. Schaefer had told Chrmn. DeRosa that he was aghast at what was going on with the Madison Board of Health. He felt that "the A Team" – Mrs. Gulla, Mr. Samara, and Ms. Trotman – won't be with Chatham Borough for much longer, considering what is going on. Chrmn. DeRosa felt this prediction from Dr. Schaefer was made because of the process followed by Dr. Bowen, which is not written down anywhere.

Chrmn. DeRosa stated that Dr. Schaefer, a long time BOH member and for Chairman, did not approve of Dr. Bowen's micro-managing style.

Chrmn. DeRosa said that she could obtain the rest of the Strategic Plan by submitting an OPRA form. She felt that pertinent information is missing. Chrmn. DeRosa questioned what was guiding Dr. Bowen's actions on the Madison Board of Health.

Chrmn DeRosa brought up a question made by Dr. Derek Shendell, another Chatham BOH Member. Dr. Shendell asked if Lisa Gulla will be the Health Officer for the next contract year.

Dr. Bowen replied that he couldn't answer that questions. Appointments are generally made on January 1st.

Chrmn. DeRosa asked Dr. Bowen to explain to this Board the comment he had made in August stating that looking for a Health Officer on a yearly basis would be a good thing for the Madison Health Department.

Dr. Bowen could only answer that "there is a serious and ongoing and unresolved labor dispute".

Chrmn. DeRosa noted that Dr. Bowen had remarked to Mayor Harris that he (Dr. Bowen) felt it was a good idea to look at the candidate pool on an annual basis.

Dr. Bowen pointed out that the Mayor and Council refresh some of their re-appointments on an annual basis, but many times the same person remains in place.

Chrmn. DeRosa noted that it does something to the morale of the Health Department if there is an uncertainty of being re-hired.

Dr. Bowen asked Chrmn. DeRosa what is it she wants from the Madison Board of Health? What can he bring back to her?

Chrmn. DeRosa asked that the questions that she had e-mailed him be answered. Also, she would like a copy of Dr. Bowen's strategic plan that outlines why he had made all these decisions as reported in the Madison BOH meeting minutes. She felt that many of these decisions were undermining the Madison Board of Health.

Chrmn. DeRosa gave another question that Dr. Shendell had e-mailed her: Will the current Board of Health's Strategic Plan Document be shared voluntarily or do we (the Chatham BOH) formally have to go to the State of New Jersey?

Dr. Bowen indicated that there was no document.

Chrmn. DeRosa insisted there was a document. She had seen the document. The Public Comments for that particular meeting reflect that the document exists. Chrmn. DeRosa pointed out that she has the power to request what she had witnessed Dr. Bowen presenting.

Dr. Bowen told Chrmn. DeRosa to go ahead with her request.

Ms. Bringgard noted that she has her office at the Madison Board of Health. She has sensed that the staff feels very insecure about their future. Ms. Bringgard gave her observations of the Health Educator's job performance. She also pointed out that Mrs. Gulla is very professional in her work.

Chrmn. DeRosa, Ms. Bringgard, and Dr. Bowen discussed the staff training situation that has been going on in the Madison Health Department, particularly that of the Health Educator (Samantha Robinson) and the Health Officer (Lisa Gulla).

Chrmn. DeRosa stated that the meeting minutes of the Madison BOH indicate that Dr. Bowen is micro-managing, which is not necessary. She pointed out that Dr. Bowen has not shown the Health Dept. staff any genuine policies. Chrmn. DeRosa asked Mrs. Gulla if she has seen any policies from the BOH to follow? Is there anything in writing?

Mrs. Gulla answered that there is a Board of Health Manual. Beyond this manual, Mrs. Gulla was not aware of the policies mentioned in the Madison BOH meeting minutes.

Chrmn. DeRosa noted that Mrs. Gulla has no public health policy document to guide her.

Chrmn. DeRosa and Dr. Bowen discussed the R.E.H.S. license and Mrs. Gulla. Chrmn. DeRosa pointed out that this license for Mrs. Gulla was only to be used for emergency situations, not for regular health inspections. Dr. Bowen stated that's where Chrmn. DeRosa and the Madison BOH disagree.

Mrs. McCabe felt this was definitely a sad situation. She believed that the two current R.E.H.S. inspectors do an excellent job. She has observed them do their inspections. Mrs. McCabe didn't understand, with these two very qualified inspectors, why the Health Educator had to serve as an R.E.H.S.

Chrmn. DeRosa asked Dr. Bowen for an update on the Health Educator situation.

Dr. Bowen recalled that five days before the last Madison BOH meeting, the Board found out that the Health Educator, Ms. Robinson, had submitted a letter of resignation. She had found another position which offered more hours.

Mrs. Gulla reported that Ms. Robinson's original letter of resignation had offered to remain with the Board of Health for 15 hours per week. Ms. Robinson was willing to remain as the Health Educator with reduced hours.

Dr. Bowen explained that the Personnel subcommittee is getting together with the Borough Employment office to create advertisements for the Health Educator and the Health Officer.

Mrs. Kaiser asked if it would be beneficial for the Chatham Board of Health and the Madison Board of Health to hold a joint meeting.

Chrmn. DeRosa didn't feel there would be any benefit to a joint meeting.

Chrmn. DeRosa asked Dr. Bowen what will be the Madison Department of Health's policy in the months to come.

Dr. Bowen stated that he will be communicating to the Madison BOH the discussions from tonight's meeting.

Chrmn. DeRosa recommended Dr. Bowen include in his communications that she will be checking information with other contract towns. She added that the ACLU is looking at towns that are not being as transparent as they should be. The ACLU is willing to come into towns to check things out. Chrmn. DeRosa was unhappy that Dr. Bowen could not provide any document to back up his actions on the Madison BOH.

Mrs. McCabe asked if there was any room for negotiation with the Madison Board of Health.

Mrs. Marts pointed out that Mrs. Gulla, Mr. Samara, and Ms. Trotman have done a wonderful job working with the Chatham Board of Health. They have educated the Board about current health matters, like the Zika virus.

Chrmn. DeRosa and Dr. Bowen discussed his Strategic Plan again, and whether it actually existed. Chrmn. DeRosa strongly believed it existed. She was also very concerned about the lack of trust existing between these BOH employees and the Madison Board. It's eroding the Health Department.

Ms. Bringgard pointed out that public health is not mentioned in any of the recent Madison BOH minutes.

Chrmn. DeRosa will be reporting on tonight's meeting to Mayor Harris and Council Member Peter Hoffman, the Board's Liaison to the Borough Council. Dr. Bowen said he would report tonight's discussions to the Madison Board of Health at their next meeting. Mrs. Gulla will be present at that meeting.

Mrs. Chaput informed Dr. Bowen that these Madison employees – Mrs. Gulla, Mr. Samara, Ms. Trotman, Ms. Bringgard are an excellent group of people. The Madison Board of Health should have much more trust in Mrs. Gulla. These individuals have always done a good job working with the Chatham Board of Health. She would seriously not want to lose them.

Dr. Bowen thanked the Board for their time.

At 8:42 p.m. the meeting adjourned.

The next Chatham Borough Board of Health Meeting will be held on Thursday, October 13, 2016, 7 p.m., Room 212, middle level, Chatham Municipal Building.

Respectfully submitted:

Liz Holler
Recording Secretary