

CHATHAM BOROUGH BOARD OF HEALTH  
 Thursday, October 13, 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	
Council Member Hoffman	X	
Mickie Chaput	X	
Kay Kaiser, R.N.	X	
Dr. Derek Shendell	X	
Liz Holler, Rec. Sec.	X	

Also present:

Dr. Donald Bowen, Chairman, Madison Board of Health  
 F. Michael Fitzpatrick, Health Officer, Bloomfield NJ

Resolution #16-11

The meeting minutes of September 8, 2016 were approved.

Public Comment

There was none.

R.E.H.S. – Report

Mr. Samara summarized his inspection reports for September 2016. Ms. Trotman reported that all the school inspections are finished.

Mrs. McCabe asked if the unfinished meals from the school could be passed on to someone who really needed it. Ms. Trotman answered yes, if there was a means to transport the food and maintain the food at a safe temperature. Ms. Trotman noted that the Middle School now has a walk-in box and a freezer. She suggested Mrs. McCabe speak to Robert at the Middle School about her idea.

Health Officer Report

Chrmn. DeRosa reported that Lisa Gulla’s last physical day as Health Officer was last Tuesday. Chrmn. DeRosa read aloud Mrs. Gulla’s farewell note to the Board.

### Food License Fees

Chrmn. DeRosa felt this could be covered at a future meeting. She would like to know the original dates of the fees. She pointed out that the registration for neutered dogs and cats went down from \$18 to \$15. The fees for unneutered dog and cats went down to \$18. Chrmn. DeRosa reviewed the fines for dogs and cats running at large. She suggested Robin Kline, the Borough Clerk, could be invited to a Board meeting to give her input on the fees.

A Board member asked if the Board could respond to Mrs. Gulla's letter to wish her well. Chrmn. DeRosa stated that the Borough of Madison has told her not to contact Mrs. Gulla. Chrmn. DeRosa added Dr. Bowen could have contacted her or the Board informing them of Mrs. Gulla's last official day. But nothing was done in that regard. Returning to Ms. Trotman and Mr. Samara, Mrs. McCabe confirmed with them that there had been two cases of whooping cough at Chatham High School. Ms. Trotman noted that one student had been vaccinated, the other one wasn't. Exposure may have happened when a student with whooping cough had attended school while being treated. Chrmn. DeRosa will contact Marlene Dolan, the Nursing Supervisor, to get further information on this matter. She will pass on the information to Board members.

### Stigma Free Communities

Chrmn. DeRosa reported that when she had attended the recent Madison Board of Health meeting, Marilyn Moosaleski, had given a power-point presentation. Ms. Moosaleski is very involved in the mental health field. Chrmn. DeRosa would like Ms. Moosaleski to talk at a Chatham Board of Health meeting. Ms. Moosaleski looks to reduce the stigma of mental health through education, enabling lay people of all ages and all communities to know what they can do when a person is having a mental health crisis. Chrmn. DeRosa reviewed other objectives Ms. Moosaleski is working towards to help remove this stigma.

Chrmn. DeRose will check into Ms. Moosaleski's availability to come speak to the Chatham Board of Health.

### Chatham Flu Clinic Report

Chrmn. DeRosa reported that the Flu Clinic held on October 8<sup>th</sup> went very well. One hundred plus people were vaccinated.

### Update on the Madison Board of Health & Dr. Donald Bowen

Chrmn. DeRosa reported that she had attended the September meeting of the Madison Board of Health. After waiting for an hour at this meeting, Chrmn. DeRosa got a chance to speak at 10 p.m. She noted that Dr. Bowen had never mentioned at this Madison BOH meeting, what had been discussed at the Chatham meeting. Dr. Bowen had also neglected to discuss what had transpired at the August 22<sup>nd</sup> meeting held between Chrmn. DeRosa, the Mayor, the Chatham Borough Administrator, and the Madison Borough Administrator. Chrmn. DeRosa stated that the contract with Madison will be ended as soon as possible. She felt the lack of communications between Chatham and Madison, particularly during this past year, has been unbelievable. Chrmn. DeRosa pointed out that the Chatham BOH did not receive the two

weeks' notice of Mrs. Gulla's departure as Health Officer as an example of the poor communications.

Dr. Shendell noted that he had been out of the country for a while; however, he had reviewed the meeting minutes. He asked if Mrs. Gulla had been let go, or did she leave under her own volition?

Chrmn. DeRosa suggested Dr. Bowen given his own take of what had transpired with Mrs. Gulla.

Dr. Bowen claimed that he had found out about Mrs. Gulla's leaving the same time as Chrmn. DeRosa. Chrmn. DeRosa pointed out that he had interviewed a candidate for the Health Officer position; therefore, Dr. Bowen must have been aware of Mrs. Gulla's leaving.

Dr. Bowen stated that the Madison Board of Health knew that there had been a labor dispute. Talks had been taking place with Mrs. Gulla's attorney. Mrs. Gulla's decision to sign the settlement agreement was, at that time, up in the air.

Chrmn. DeRosa asked Dr. Bowen if he felt no responsibility for the way he had treated Mrs. Gulla the entire year, and that she left?

Dr. Bowen indicated that he wanted to focus on the notification. He reiterated that he and Chrmn. DeRosa had found out the same time of Mrs. Gulla's leaving.

Chrmn. DeRosa believed that was odd that Dr. Bowen didn't know Mrs. Gulla was leaving and that a new person was being interviewed.

Dr. Bowen believed that it was regrettable that Mrs. Gulla didn't chose to inform the Board first. She chose a public meeting, several days earlier, to announce her departure.

Chrmn. DeRosa asked what public meeting was he talking about.

Dr. Bowen answered the meeting of Health Officers.

Chrmn. DeRosa reported that she had forwarded the note from Mrs. Gulla giving her last day to Borough Administrator Bob Falzarano, Mayor Harris, and Council Member Hoffman. Chrmn. DeRosa felt it odd that Madison's Administrator didn't inform Dr. Bowen that there was no Health Officer as of last Tuesday.

Dr. Bowen answered that Mrs. Gulla had found someone to cover as Health Officer as she did when she took days off.

Chrmn. DeRosa indicated that she didn't know this. Chrmn. DeRosa noted that the Madison BOH had held a two-hour Executive Session; therefore, she couldn't speak at the meeting until after 10 p.m.

Dr. Bowen said that Chrmn. DeRosa's comments had been discussed in an Executive Session of the Madison Board of Health as a contract matter.

Moving on, Chrmn. DeRosa reported that Megan, the Health Officer, from Westfield NJ came to talk with her and Borough Administrator Bob Falzarano. This interview impressed both Chrmn. DeRosa and Administrator Falzarano on how Westfield handles things. She reviewed some of Westfield's health programs. Chrmn. DeRosa noted that she had asked Megan what was her relationship with the Westfield Board of Health. Megan had answered that she had a good relationship with the Board. The Westfield BOH does not micro-manage her. Good communications exist.

Chrmn. DeRosa discussed her talks with Bernards Township. She felt that they too, have good communications.

Mrs. McCabe asked Chrmn. DeRosa whether she had reached out to Chatham Township. Chrmn. DeRosa answered that she had contacted the Township in May, however received no response.

Mrs. Kaiser asked when did Chatham Borough's contract end.

Chrmn. DeRosa answered in six months; however, she has written a letter to a lawyer and found many violations as it has to do with communication and also NJ Statute 26. Chrmn. DeRosa felt, judging from meeting minutes and discussions, that some of the actions taken by the Madison Board of Health were in violation.

Council Member Hoffman reminded Chrmn. DeRosa that Borough Attorney Lott has to look at the contract.

Dr. Shendell asked how many towns did Westfield and Bernards Township contract with, and it what way would it affect Chatham Borough

Chrmn. DeRosa said Megan, the Health Officer from Westfield, had said she would hire an R.E.H.S. on a part-time basis for Chatham Borough. The cost of the contract would be much less than it is now.

Dr. Shendell commented that Westfield has a much larger, more established downtown than Madison and Chatham. Therefore, Westfield health inspectors probably have a good method for unannounced inspections for the food inspections.

Mike Fitzpatrick the Health Officer from the Township of Bloomfield introduced himself. He gave the Board his work experience. After his children were raised, Mr. Fitzpatrick officially re-entered the field of public health. In 2009, Mr. Fitzpatrick became employed by Bloomfield NJ. Mr. Fitzpatrick noted that Bloomfield's Health Dept. is the only accredited Health Department in the State of New Jersey.

Mr. Fitzpatrick stated that he is not employed by the Borough of Madison. He does not have a contract with Madison. He has negotiated with Madison; however, the negotiations are not complete on either side. Mr. Fitzpatrick noted that he was trained in Madison 35 years ago. He has spoken with the Madison Director and the Madison BOH and said, if in the short time, provide services for coverage for a health officer, that can be done temporarily for no cost to Madison. So the Chathams, Springfield, and Madison will be covered by a Health Officer.

Mr. Fitzpatrick stated that he had quality employees working for him. He understood Ms. Trotman and Mr. Samara did good work. Mr. Fitzpatrick stated that his goal for Chatham Borough is to provide services until Madison Borough makes a formal decision of whether or not to contract with Bloomfield.

Chrmn. DeRosa noted that Chatham Borough contracts with Madison. She asked Mr. Fitzpatrick if he would be leaving Bloomfield to join Madison?

Mr. Fitzpatrick answered no. He would provide a health officer through Madison. Mr. Fitzpatrick stated that he had contacted the State Department of Health last week to discuss this matter. Bloomfield will be the provider to Madison. Madison, through Bloomfield, would fulfill the obligations that Madison has with each one of the recipient communities. This tier effect is allowed.

Chrmn. DeRosa questioned why if Chatham Borough has a contract with Madison would Chatham want a relationship with Bloomfield?

Mr. Fitzpatrick clarified that the relationship would be through Madison.

Chrmn. DeRosa did not feel comfortable with that arrangement.

Mr. Fitzpatrick noted that in the proposal an arrangement will be made to have a Health Officer in Madison to serve Madison and its communities five days a week. Mr. Fitzpatrick stated that Bloomfield serves five other towns.

Mrs. McCabe and Chrmn. DeRosa asked why would Chatham Borough then need Madison, if Chatham could just contract with Bloomfield. Chrmn. DeRosa noted that a Health Educator has not been on staff since June.

Mr. Fitzpatrick said he would have a Health Officer and additional people if needed from Bloomfield.

Chrmn. DeRosa noted that having a Health Officer for the town is a relationship. Unfortunately, the current relationship has broken down.

Dr. Schaefer confirmed with Mr. Fitzpatrick that Bloomfield has R.E.H.S. inspectors.

Dr. Schaefer asked Mr. Fitzpatrick how many R.E.H.S. inspections did he do himself.

Mr. Fitzpatrick answered maybe two or three a week.

Chrmn. DeRosa asked Mr. Fitzpatrick why did he do the inspections.

Mr. Fitzpatrick answered that sometimes it is a matter of convenience for him to do an inspection, sometimes a second R.E.H.S. opinion is needed in some situations.

Dr. Schaefer asked Mr. Fitzpatrick how much is he *required* to do.

Mr. Fitzpatrick answered that he is required to do none (inspections). He chooses, as the leader of the group, to “be invested” in his staff. So his staff understands that they work as a team.

Dr. Schaefer asked Mr. Fitzpatrick what if he was told that he was *required* to do eight hours a week of inspections, how would he feel about that?

Mr. Fitzpatrick answered that if there was a void for some reason, concerning inspections, he would figure out what action to take to bridge the gap. He would then communicate with his Board if more staffing is needed in the next year, or whether the inspectors needed additional training in some area, etc.

Dr. Schaefer asked Mr. Fitzpatrick if it would make any sense to him if he was told to do inspections regardless of any problems that may come up in the Health Dept. office.

Mr. Fitzpatrick felt that was a hypothetical question. He wouldn't know how to answer that.

Chrmn. DeRosa told Mr. Fitzpatrick that in February and March, Dr. Bowan required Mrs. Gulla to do eight hours of inspections a month. Mrs. Gulla earned her license, however told Dr. Bowman that she respectfully declining his order. Dr. Bowan then informed Mrs. Gulla that it was the will of the Board of Health that she does the inspections. Mrs. Gulla was then sanctioned. Chrmn. DeRosa advised Mr. Fitzpatrick to read the Madison Board of Health minutes concerning this matter before he takes the Health Officer job in Madison.

Mr. Fitzpatrick answered that he probably wouldn't have a problem doing eight hours of R.E.H.S. inspections a month.

Chrmn. DeRosa stated that Mrs. Gulla was ordered to do a mandatory eight hours a month of inspections without an addition to her pay. This is how she (Mrs. Gulla) has been treated all year.

Mr. Fitzpatrick answered whether Chatham Borough continues or cancels the contract with the Madison Health Dept., and *if* he becomes the Health Officer, providing services for the next six months, it will be as if Chatham hired him for his services full time.

Chrmn. DeRosa disagreed stating that “Dr. Bowman says what goes on”. She claimed that she had no communications with Madison.

Mr. Fitzpatrick answered that his goal and his job would be to provide good public health and figure out whatever that means to the community. His employees will undertake their duties as if they were employed in that particular community.

Mr. Fitzpatrick noted that he didn't know Mrs. Gulla that well and the circumstances involved. He felt this matter was probably being discussed among lawyers.

Dr. Schaefer stated that Mrs. Gulla was basically driven out of her job because of micro-managing. No confidence was given to Mrs. Gulla that she could run her own department. Dr. Schaefer stressed that employees need this confidence to carry out their job and not having their hours micro-managed.

Council Member Hoffman asked whether this arrangement between Madison and Bloomfield would be an interim arrangement? Or will it be permanent?

Mr. Fitzpatrick answered that for the next few weeks there will be no charge for services. Mr. Fitzpatrick will be serving as Health Officer so everyone has coverage. He believed that was a good Public Health action to take. From his own perspective, Mr. Fitzpatrick would prefer a long term contract.

Mr. Fitzpatrick explained a new phase of public health called "population health".

Dr. Shendell observed that Mr. Fitzpatrick had the opposite line of experience than Mrs. Gulla as a Health Officer. From his own experience, Dr. Shendell brought up the challenge of hiring new people in the field of public health.

Mr. Fitzpatrick stated that his department continually expands for different reasons. Because of this expansion, he has to run ads looking for Health Educators, R.E.H.S. inspectors, etc. for interim situations. He has had a resolution passed, so the hiring of these people isn't delayed until a meeting is held.

Answering Chrmn. DeRosa's inquiry, Mr. Fitzpatrick stated that the Bloomfield Department of Health is accredited.

Chrmn. DeRosa asked Mr. Fitzpatrick how he felt about continuing education. When she had attended a meeting of the Madison Bd. of Health, continuing education was given a very low priority. It was felt that the Board members themselves should be attending the seminars and report back. Therefore, the Health Dept. staff's time is not wasted. Chrmn. DeRosa asked Mr. Fitzpatrick how he felt about that arrangement.

Mr. Fitzpatrick brought up the Workforce Development Plan. He believed a balance has to be maintained.

Chrmn. DeRosa commented that there was no balance.

Mr. Fitzpatrick pointed out a number of credits have to be obtained. He didn't embrace the idea of people taking health courses way out of state. Certain employees can attend local meetings, others can attend regional meetings. Therefore, Mr. Fitzpatrick's Health Dept. has a workforce development plan and a strategic plan.

Chrmn. DeRosa stated that Mrs. Gulla had all that, but the Madison Bd. of Health's trumped hers.

Mr. Fitzpatrick said that he hadn't talked to the Board about that.

Chrmn. DeRosa urged him to read the Madison Board of Health minutes and see what he thought.

Mr. Fitzpatrick said he had read the meeting minutes starting from February. He had attended the Bd. of Health meeting held last Thursday when Mrs. Gulla announced that she would be leaving the following Tuesday. After speaking with the Madison Borough Administrator, Mr. Fitzpatrick had the impression that Administrator Codey didn't know Mrs. Gulla was leaving until Tuesday.

Chrmn. DeRosa read aloud language regarding "primary employer". She believed a primary employer cannot sub out.

Council Member Hoffman said that Attorney Lott can review that section.

Regarding his responsibilities, Mr. Fitzpatrick stated that he will physically be in Madison two days a week. The other Health Officer will be in Madison three days a week. Bloomfield has R.E.H.S. inspectors to supplement. Social workers will be available for no additional cost.

Dr. Schaefer commented that the Bloomfield Health Department has a good program going. Unfortunately, Chatham Borough has to work through Madison. And Madison doesn't want to work Chatham. The Madison Bd. of Health has shown no inclination to listen. In Dr. Schaefer's opinion, employees are bailing out because they are being harassed and micro-managed.

Mr. Fitzpatrick asked that the Chatham Board give him a month or two, and he'll see what he can do. He'll see if compatibility can be achieved.

Chrmn. DeRosa told Mr. Fitzpatrick that *he* might work. Madison won't work. Things have broken down. She cannot work with Madison any longer.

Dr. Shendell felt that Mr. Fitzpatrick had a growing interest, possibly with the help of the Health Department, to try and pull more towns together and reach the capacity to be eligible for other types of grants and funding.

Mr. Fitzpatrick said that was correct. He explained how an alignment could be done with hospitals.

Chrmn. DeRosa asked why should the Chatham Board have to go through Madison. She felt Mr. Fitzpatrick should just be giving a pitch for Bloomfield.

Mr. Fitzpatrick explained that it was a matter of integrity for him. He felt the relationship with Madison could be redeveloped. He could not go behind Madison's back and try and make a deal with Chatham.

Dr. Schaefer complimented Mr. Fitzpatrick on how he has handled himself in such a difficult situation tonight. However, Dr. Schaefer noted that the Chatham Board had been extremely happy with the work that Mrs. Gulla, Mr. Samara, and Ms. Trotman had been doing. Dr. Schaefer and Chrmn. DeRosa felt that the rug had been pulled out from under them with Ms. Gulla's leaving.

Mrs. Marts pointed out that Mrs. Gulla had been working at her position when all of a sudden she heard that interviews were taking place for her job.

Dr. Shendell asked Mr. Fitzpatrick if the contract should come about, and after Mr. Fitzpatrick's the weeks of coverage, would Ms. Trotman and Mr. Samara become employees of Bloomfield or the Borough of Madison, but reporting to Mr. Fitzpatrick?

Mr. Fitzpatrick answered that they would remain as employees of Madison. He would become their over-seer.

A board member asked Mr. Fitzpatrick when will he find out if/when he becomes the Health Officer.

Mr. Fitzpatrick answered that the Mayor and Council in Madison are discussing this matter tonight. He had told Administrator Cody if he needed coverage he (Mr. Fitzpatrick) will do it. Madison did not want a gap in coverage.

Chrmn. DeRosa asked Mr. Fitzpatrick whether, in Bloomfield, did the R.E.H.S. inspectors remain present during the public session, and get to talk afterwards.

Mr. Fitzpatrick answered that R.E.H.S. inspectors don't go to the Board meetings, unless he himself can't make it to the meeting.

Dr. Bowen indicated that he had nothing to say.

Chrmn. DeRosa assured Ms. Trotman and Mr. Samara to not take the final decision (on the contract with Madison) personally.

Mrs. Chaput added that this is an emotional decision. The Chatham Board still needs time to discuss this matter with the Borough Attorney Lott. Nothing is in stone right now.

Chrmn. DeRosa asked Dr. Bowen if he would make any changes on the Madison Board of Health.

Dr. Bowen stated that most important to him was the well-being of the Health Dept. staff. He is “putting on the table” his departing the Board.

Chrmn. DeRosa was not happy with the proposed subbing-out. Chatham’s contract is with Madison. She will talk with Chatham Administrator Bob Falzarano about this issue.

Mrs. McCabe asked that Chrmn. DeRosa also ask for more openness and good communications between the two Boards of Health.

Dr. Shendell had questions about the salaries for the R.E.H.S. inspectors from Westfield and Bernards Township. Chrmn. DeRosa said she would bring them to a Board meeting to discuss these matters. She would not handle these matters alone.

Chrmn. DeRosa complimented Mr. Samara and Ms. Trotman for the fine job that they did for the Chatham Board and the Borough of Chatham.

At 8:30 p.m. the meeting adjourned.

The next Chatham Board of Health meeting will be held on Thursday, November 10, 2016, 7 p.m., Room 212, middle level, Chatham Municipal Building.

Respectfully submitted:

Liz Holler  
Recording Secretary