

CITY OF ENGLEWOOD

BOARD OF HEALTH REGULAR MEETING

April 9, 2008

1. The regular meeting of the Board of Health, City of Englewood, Bergen County, was called to order at 8:01 p.m. by Dianna Lachman, President, Board of Health.

MEMBERS PRESENT:

Dianna Lachman, President; Lisa Levien, Vice President; Bertha-Nora Acosta; JoEllen Bostick; Stephanie Davis; Dr. Earl Marsan; Dr. Lisa Wisotsky (arrived at 8:05 p.m.)

ALSO PRESENT:

Richard A. Lustgarten, Esq., Board of Health Attorney; Nelson Xavier Cruz, Director, Health Services/Secretary to the Board; Deborah Greene, Administrative Assistant/Office Manager/Registrar; Janet Kast, Executive Secretary.

O.P.M.A. STATEMENT

Mr. Cruz read the Open Public Meetings Act, stating that adequate notice of this meeting was given, in compliance with the Sunshine Law, and published in The Record, The Press Journal, posted on the bulletin board at City Hall, and on the City's Web Page, all at least 48 hours prior to the date of this meeting. The Secretary of the board has on file a copy of the notice for appropriate retention.

- 2-7. Motion to approve items #2 (Regular and Closed Minutes of February 13, 2008 Meeting); #3 (Receipts for February and March, 2008); #4 (Bills for February and March, 2008); #5(Employee Reports for February and March, 2008); #6(Communications for February and March, 2008); and #7(Board Digest for February and March, 2008).

Motion to discuss and approve items 2-7 together was made by Ms. Bostick, and seconded by Ms. Levien. Motion was approved 6-0.

Motion to approve items #2-7 was made by Ms. Davis; and seconded by Dr. Marsan. Motion was approved 6-0.

Ms. Lachman asked that it be noted that Dr. Lisa Wisotsky had arrived at 8:05 p.m.

8. Motion to approve Retail Licenses - 2008 Renewals

Ms. Lachman noted that additional licenses to the list sent in the Board Packets were in the folders provided for the meeting, and asked the Board to take a moment to review them.

Motion to approve Retail Licenses - 2008 Renewals was made by Ms. Levien, and seconded by Dr. Marsan. Motion was approved 7-0.

RESOLUTIONS

9. Resolution No. 6-08 - Amendment of Director's Contract

Mr. Cruz read Resolution No. 6-08 in its entirety. Ms. Bostick asked if any additional courses needed to be taken. Mr. Cruz said only two courses, Epidemiology and Environmental Health, had been required to qualify to sit for the exam. Those courses have been successfully completed, and a transcript has been submitted to the State, satisfying that condition.

Motion to approve Resolution No. 6-08 was made by Dr. Wisotsky, and seconded by Ms. Levien. Motion was approved 7-0.

10. Resolution No. 7-08 - Authorizing Funds for Legal Fees

Mr. Cruz read Resolution No. 7-08 in its entirety. There was a brief discussion regarding why this was being handled by the Board of Health and not the City. Mr. Lustgarten said he had spoken to the City Attorney regarding having the City officials handle the defense of the lawsuit. The result was, they felt it was a Board of Health matter, and wanted the Board to defend it.

Motion to approve Resolution No. 7-08 was made by Ms. Davis, and seconded by Ms. Bostick. Motion was approved 7-0.

11. Resolution No. 8-08 - Appointment of Health Officer

Mr. Cruz read Resolution No. 8-08 in its entirety. There were questions regarding the Health Officer's hours and how he related to our situation. Mr. Cruz answered that the Health Officer would be full time and report to the Director.

Motion to approve Resolution No. 8-08 appointing Michael Guarino to the position of Health Officer was made by Ms. Levien, and seconded by Ms. Bostick. Motion was approved 7-0.

12. Resolution No. 9-08 - Honoring Public Health Week, April 7 - 11, 2008

Mr. Cruz read Resolution No. 9-08 in its entirety. Motion to approve Resolution No. 9-08 was made by Ms. Bostick, and seconded by Ms. Davis. Motion was approved 7-0.

13. Resolution No. 10-08 - Public Health Dedicated Funding for 2008

Mr. Cruz read Resolution No. 10-08 in its entirety. Ms. Bostick asked for clarification. Mr. Cruz explained that if the resolution was approved by the Board, a letter would be drafted by the Director of Health Services and the Board President, to be sent to the Governor and the elected officials who represent District 37, Senator Weinberg and Assembly persons Huttle and Johnson, for their support. Motion to approve Resolution No. 10-08 was made by Ms. Davis, and seconded by Dr. Marsan. Motion was approved 7-0.

14. Resolution No. 11-08 - Appointment of Koreena Glanville to the position of Community Youth Health Educator for the Reach & Teach Program

Mr. Cruz read Resolution No. 11-08 in its entirety. Motion to approve Resolution No. 11-08 was made by Ms. Bostick, and seconded by Dr. Marsan. Motion was approved 7-0.

ORDINANCES

15. Ordinance No. 08-02: Revised "Fees and Fee Schedule" - Public Hearing/Adoption with Resolution

Motion to open the time for public comment on Ordinance No. 08-02, which is entitled "An Ordinance Revising Chapter 6 of the Health Code of the City of Englewood, in the County of Bergen, New Jersey, 'Fees and Fee Schedule'" was made by Ms. Bostick, and seconded by Ms. Davis. Motion was approved 7-0. There were no comments or questions from the public.

Motion to close the time for public comment on Ordinance No. 08-02 was made by Dr. Wisotsky, and seconded by Dr. Marsan. Motion was approved 7-0.

Mr. Cruz read the Resolution to Adopt Ordinance No. 08-02 entitled "An Ordinance Revising Chapter 6 of the Health Code of the City of Englewood, in the County of Bergen, New Jersey, 'Fees and Fee Schedule'" in its entirety. Motion to approve the Resolution to Adopt Ordinance No. 08-02 was made by Ms. Bostick, and seconded by Dr. Wisotsky. Motion was approved 7-0.

16. Ordinance No. 08-03: Maximum Salaries - Introduction with Resolution

Mr. Cruz read the Resolution to Introduce Ordinance No. 08-03 entitled "An Ordinance Establishing the Salaries of the Department of Health of the City of Englewood as of January 1, 2007 and January 1, 2008" in its entirety. Motion to approve the Resolution to Introduce Ordinance No. 08-03 was made by Ms. Bostick, and seconded by Dr. Marsan. Motion was approved 7-0.

OLD BUSINESS

17. Committee Appointment - Personnel Sub-Committee

There was no report on the Personnel Sub-Committee.

18. Rabies Program

Mr. Cruz reported that the first Rabies Clinic was held on March 8, 2008. At that clinic, there were 89 animals vaccinated, 77 dogs and 12 cats. Ten animals were vaccinated in March at Bergen Animal Hospital in Teaneck through a contractual arrangement with the Englewood Health Department. A follow-up Rabies Clinic is being planned for April.

19. 2008 Budget Revision

Mr. Cruz reported that the 2008 Budget has been submitted by the Health Department. The initial budget request was for a total of \$837,750, with Salaries and Wages in the amount of \$730,000 and Other Expenses of \$107,750. Due to the recent fiscal crisis, all the City Departments were asked to streamline their budgets and make cutbacks. Based on that request by the City Manager, a revised budget was

submitted for a total of \$767,732, amounting to Salaries and Wages of \$666,182 and Other Expenses of \$101,550. This is a reduction of 8.6%, or \$70,018. Salaries and Wages was reduced by \$63,818 and Other Expenses by \$6,200, with no layoffs planned, but with restructuring of some positions.

There was a question regarding any open positions in the Department. Mr. Cruz stated that the only open position in the Englewood Health Department, the Reach and Teach Youth Health Educator, was just filled.

Dr. Wisotsky asked if it was possible to see the changes that had been made from the previous budget to the revised budget. Mr. Cruz said copies of the original budget had been provided to all the Board Members. Changes included the legal fees of approximately \$5,000 which would be paid with funds previously designated for the Future Forum event, now postponed until 2009. Changes in staffing reduced the nursing positions to half the current time/expenses. He stated that no programs were cut and that we are mandated to provide the functions of Vital Statistics, Environmental Health, Public Health Nursing, and Health Education, which remain intact.

NEW BUSINESS

20. Proposed Contract for Federally Qualified Health Center (FQHC) Feasibility Study

Mr. Cruz stated that a recent survey was done, through the Health Department, on how primary care health services were rendered in Englewood. It was found that a lot of patients who do not have a primary care provider go to Englewood Hospital. Although Englewood is a very affluent community, there are pockets of poverty with barriers to access, such as language, transportation, and lack of health insurance. In addition, the hospital no longer receives money for charity cases.

Mr. Cruz said he had reached out to a Philadelphia consultant, who works with community health centers in New Jersey. She was open to doing a feasibility study to determine if we could gain a designation status as a MUP, or Medically Underserved Population. That designation could qualify the City of Englewood to apply for Federal funding of \$650,000 as seed money to establish a Federally Qualified Health Center in the City of Englewood. The closest FQHC to Englewood is the Paterson Community Health Center, which is quite a distance. Another is the Garfield Health Center, which is an operation sponsored by the North Hudson Community Action Corporation, based in Hudson County. It has several satellites in Hudson, Bergen, and Passaic County, which include such areas as Passaic, Jersey City, and West New York, to name a few.

Mr. Cruz said he understood that as recently as that day, the North Hudson Community Action Corporation had been approached by Hackensack University Medical Center to acquire and operate their clinics because they are losing money. He anticipates that Englewood Hospital and Medical Center could encounter the same situation and may do the same with their clinics. If qualified, it could be a win-win situation for us because FQHC's, unlike hospitals, are reimbursed an average of \$125 for each Medicaid visit. There is no charity care for the FQHC's. However, there is an Uncompensated Care Fund, which reimburses the FQHC an estimated \$97 for each uninsured visit. Mr. Cruz said the total cost for the feasibility study is about \$4,500.

Ms. Lachman asked if a needs assessment had been done in Englewood. Mr. Cruz answered that a survey had been done of about 22 providers. They found that there is a lack of access problem, due to

the language, and lack of health insurance. There is also the issue of public transportation. We may have public transportation on Palisade Avenue, but there are other areas of the City where bus routes are not common.

Dr. Wisotsky asked for clarification regarding how the Health Department is addressing the issue of community health centers here. She asked if we want to do a feasibility study to see if we qualify for federal funding. Mr. Cruz answered that we want to do a feasibility study to become designated as a Medically Underserved Population to become eligible to apply for federal funds. Dr. Wisotsky asked what kind of survey we had done prior to contacting the consultant from Philadelphia. Mr. Cruz answered that we had looked at preliminary data provided by the State, the growing high number of STD's, adolescent pregnancies, the level of access, etc. and a short survey developed by the Health Department. Those are some of the things that the consultant would look at as well.

Dr. Wisotsky stated that one of the priorities last year was for the Health Department to do a needs assessment, to determine what the needs of the community are, and to see if and how our programs meet that need. She felt a needs assessment should come first, and from that needs assessment, this might come out of it. She said if we are going to do a feasibility study, we should do a needs assessment at the same time.

Her second question was who would do the needs assessment. She suggested that since the Columbia School of Public Health is located so close by, perhaps the professors could help with this, making it more financially viable.

Mr. Cruz said that these assessments have been conducted by the Public Health Partnership for our county. In terms of the second point that Dr. Wisotsky mentioned, there is a newly established provider group in Hackensack offering primary care for free. However, this is done by fund-raising, and there is an issue of sustainability. While they are trying to provide primary care for those in need that are uninsured, if they don't charge any fees for services rendered, how can they sustain themselves? They may be around for only a year or two, depending on how long the funds are available for them. This is a short-lived response to a problem that currently exists, not only for the county but for the surrounding communities of Englewood, Hackensack, Teaneck, Leonia, just to name a few.

Dr. Wisotsky asked if we had the results from that needs assessment. Mr. Cruz said he could bring something to the next Board Meeting.

Ms. Lachman said that the feasibility study would look at the entire population of Englewood and see what percentage is insured, what percentage does not have insurance, and what percentage has no access to healthcare. She said she thought the information Dr. Wisotsky wanted would come out of that.

Dr. Wisotsky asked if there was going to be a FQHC in Englewood, who would staff it, and what hospital would the affiliation be with.

Mr. Cruz said if this idea came to fruition, the affiliation would be with Englewood Hospital and Medical Center. The health center would be under the auspices of the Englewood Health Department. The staffing would be separate and would come from the federal dollars, but would be under the umbrella of the Englewood Health Department. There are currently no such models in New Jersey; however, there are several such models in other parts of the country where the health department

oversees the operation of a community health center.

Dr. Wisotsky asked where the patients would go for specialty care. Mr. Cruz said the patients would go to the hospital for specialty care, through a memorandum of understanding, which a lot of health centers do via a back-up agreement.

Dr. Wisotsky asked if Englewood Hospital and Medical Center would be willing to partially finance the feasibility study. Mr. Cruz said that most hospitals do, but because of Englewood Hospital's concerns with Charity Care, it is unable to now. Mr. Cruz said he had spoken with Michael Pietrowicz, who is very interested in the process, and the hospital may be able to do so in the future.

Dr. Wisotsky asked again if the Community Health Center would be overseen by the Health Department. Mr. Cruz confirmed it would be under the auspices of the Health Department. Dr. Wisotsky asked if the Englewood Health Department would receive part of the federal funding for this community health center for salaries to oversee it. Mr. Cruz said that the \$650,000 in seed money granted by the federal government, or Health Resources Services Administration (HRSA) could be utilized for salaries, as well as equipment and supplies.

A general discussion followed as to where the money came from, and how it would be managed.

Dr. Wisotsky asked if there was a proposed contract, was there a time limit, and was it something that had to be acted on that day?

Mr. Cruz said the matter was simply being proposed and was open for discussion, and could be further discussed in the future if there was an interest. If the Board deemed it appropriate to look into further, then it could be moved on, but there was no time pressure involved in this.

Dr. Wisotsky asked if any of the Board Members were familiar with health centers. Several members answered yes. Dr. Wisotsky thought this issue was something they should consider carefully. She said an article was published several weeks ago in the New England Journal of Medicine about community health centers. One of the points noted in the study was that for community health centers to succeed, they need to have an affiliation through a hospital or some way for the patients to get specialty care. She said we should have a firm commitment from Englewood Hospital, if that is who the affiliation would be with, and allow them to also help finance the feasibility study.

Mr. Cruz said it would have to be a formalized affiliation that is required between the FQHC and the hospital. He said the difficulty with respect to getting specialty care through the managed care companies is the limited provider panels under contract with the hospital. Mr. Cruz said there are about 22 FQHC's in New Jersey, with more than half of them having been around for about 35-40 years. All of them have strong hospital affiliations, and some of them have several, particularly, North Hudson Community Corporation, which are located in different counties.

Ms. Bostick stated that Columbia Hospital might be another institution interested in participating. Mr. Cruz said we could certainly have an affiliation with them. Many times, the hospitals want to use the FQHC as a training site for their medical residents. He said her point was well taken, because when he talked to Englewood Hospital and Medical Center, they were very interested, if this should come to fruition, in using this as a training site for their residents.

Ms. Lachman said it was important to keep in mind that members of the community might not want to go to New York for specialty care. There are a lot of specialists affiliated with Englewood or Hackensack, and they would not have to go to New York City, cross the bridge, have problems with transportation, parking, etc. She said it was a consideration, but they had to keep in mind the population that they are trying to serve with this community health center, and not put further burdens on them.

Mr. Cruz said that one of the trends they are seeing now is many hospitals are taking their clinics and giving them to FQHC's because they can't afford to keep them. They are not being reimbursed, so from a business standpoint it doesn't make sense. They are unable to pay the expenditures they are incurring. The FQHC's are getting a more enhanced reimbursement.

Ms. Davis stated she is a Public Health Nurse. She does not know if the Department of Health of any state would certify or approve a primary care clinic or community health clinic without a backup hospital, and very strict guidelines.

Dr. Wisotsky said the question was not about a backup hospital, but about the specialty care. She feels that a feasibility study should be one part of a needs assessment. First, we need to find out if we have a need for this, and then if we find there is a need, consider the feasibility study. Because of the recent budget cuts in Englewood, Dr. Wisotsky felt they should look to their resources, namely Englewood Hospital and Columbia, to share the costs.

Ms. Lachman asked Dr. Wisotsky if she had any contacts at Columbia. Dr. Wisotsky said that Dr. Pierson had a contact there last year, and perhaps we could call on him and see if we could re-establish that contact.

Ms. Levien asked about the timing of the feasibility study. She understood that the guidelines are changing for next year, which would make the Health Department ineligible. Mr. Cruz said that next year, they would be changing the standards for MUP designation. He said we would qualify this year, but not next year. So, if we were to lose the window of opportunity this year, we could not apply next year.

Dr. Wisotsky asked about getting a commitment from Englewood Hospital for part of the funding. Mr. Cruz said that process was initiated, and he was reluctant to go elsewhere because of the very good relationship with Englewood Hospital and Medical Center. Ms. Lachman asked if they needed to approve funds for this, and if this had been put in the budget. Mr. Cruz said he has been looking at other available sources, apart from the budget, and this would not be coming out of the budget. Ms. Lachman asked if Mr. Cruz would have something for them at the next Board Meeting, and he answered in the affirmative.

21. Englewood Health Department Brochure

Mr. Cruz referred the Board to a draft of the new Englewood Health Department brochure, provided in their packets. The 3-fold brochure describes the mission and roles of the Health Department. He pointed out an error in the section that says "Englewood Department of Health," which will be corrected. Mr. Cruz said that once the brochure is finalized, there will be a Spanish version. Kinko's will provide a discount for the printing of about 4000 copies, 2000 in English and 2000 in Spanish. This brochure consolidates all departments and functions, and provides a map as well. It also describes the various

functions of the units of the Englewood Health Department.

Ms. Bostick thought there should be more diversity in the pictures. Mr. Cruz answered that this was only a draft and would make the changes suggested.

22. Get Fit Englewood Program

Mr. Cruz explained that the Get Fit Englewood Program is being funded by a grant from the New Jersey State Department of Health, in the amount of \$10,000. Using those funds, the Department has developed a program with the objective to get people more involved in a healthier, more active lifestyle. It is a six-week program in which teams are developed, consisting of 8-10 members. A medical clearance form is required, and any participant under the age of 18 needs parental consent. The program begins on April 19, 2008 at Janis E. Dismus Middle School, from 12 - 4 p.m., with registration and intake. Thereafter, we will meet from 10 a.m. to 1 p.m. at the main entrance of MacKay Park. The team members will be given pedometers, and the team with the greatest cumulative number of miles walked at the end of the program will be given a prize. In addition, in partnership with the Recreation Department, we will have other activities such as basketball, track, and tennis.

Furthermore, there will be a chiropractor every Saturday to talk with the participants. We have also contracted with a nutritionist, who is also a Certified Fitness Trainer, to be there each week. In addition, either Bally's or the New York Sports Club will work in partnership with the nutritionist. On the last day of the program, June 7, with a rain date of June 14, there will be a celebration where prizes will be given out and we will have a cook-out. We are working with the Janis E. Dismus lunch program on this and securing some of the supplies from there.

23. Public Health Week: April 7-11, 2008

Mr. Cruz referred to a flyer on Public Health Week. The theme this year was "Climate Change and Your Health." On Monday, April 7, the staff were scheduled to be at ShopRite, but it was postponed due to inclement weather. On Tuesday, Wednesday and Thursday, we are scheduled to be at the Englewood Public Library between 2:30 p.m. and 4:30 p.m. That time was chosen to try to reach adults, seniors, and students. Today, April 9, was Kick Butts Day at Janis E. Dismus Middle School. On Friday, April 11, we will be at 111 West Street for blood pressure screening, and also to talk about allergies, asthma, Lyme Disease, West Nile Virus, and malaria. We will also provide lunch. Ms. Lachman complimented the Health Department on the flyer, which is in English on one side and in Spanish on the other side.

24. Adolescent STD's and HPV Vaccines

Mr. Cruz said he was bringing up this topic because of a recent study that found that one out of four adolescent girls, ages 14 to 19, were found to have STD's. The Health Department has been going to Janis E. Dismus Middle School to try to talk to the students about STD's.

Ms. Bostick thought that instead of talking to the children, maybe we should be approaching the parents at PTO meetings at some point. She said from what she has read on this issue, you need to start talking to children when they are very young. She suggested talking to the children in the elementary schools before they are sexually active, before we go to the middle schools.

Mr. Cruz answered that we are at the Lincoln and Cleveland Schools, as well as the high schools.

Ms. Lachman stated that she and Ms. Levien had talked to Mr. Cruz about this issue prior to the meeting, and she had heard that a lot of the PTO's had limited participation and met irregularly, but that they will explore any avenue or any other ideas. She thought that perhaps they should be speaking to elementary school parents.

Ms. Levien asked if they could look at the feasibility of having a meeting on just that subject.

Ms. Davis said she would support that but that they would have to phrase it in a particular way. She was not sure what that was, but it is important. Unless worded properly, people would say it didn't pertain to their child, and they wouldn't be interested and would not show up.

Ms. Bostick agreed, and said that is another reason for starting at the elementary level. There would be more interest and more people attending.

Ms. Levien asked if the Health Department would prepare flyers for the beauty parlors and barber shops. Mr. Cruz said that flyers would be distributed to beauty parlors, barber shops, nail salons, the Public Library, as well as some local merchants.

25. Interim Staff Shortage

Mr. Cruz stated that in addition to the revised budget, the Health Department is experiencing a staff shortage. Two staff members are away on medical leave for two to three months. To address the staff shortage, a temporary clerk has been hired to provide clerical/administrative support.

Motion was made to open the meeting for public comments by Ms. Bostick, and seconded by Ms. Levien. Motion approved 7-0.

PUBLIC SESSION

Curtis Caviness, 41 E. Forest Avenue

Mr. Caviness commented on No. 24 of the Agenda, Adolescent STD's and HPV Vaccines. He said if we were going to advertise about public health education, we need to make sure that our information is correct. He said he had never heard of an STD vaccine. Ms. Lachman said there was an HPV vaccine. Mr. Caviness said the HPV vaccine exists, but that the Agenda specifically stated "Adolescent STD's and HPV Vaccines." Ms. Lachman said it referred to adolescent STD's, and also referred to HPV vaccines, and not that there were STD vaccines. Mr. Caviness repeated that he just wanted to make sure that what we advertised was correct.

Mr. Caviness referred to No. 20 on the Agenda, Proposed Contract for FQHC Feasibility Study. He said he agreed with Dr. Wisotsky, that a needs assessment was necessary. He said that the Health Department was expanding the scope of public health way beyond Title 26 when getting into the areas of community health centers, primary care, and managed care. Mr. Caviness asked how the Board could employ a full time Chief Executive Officer for \$15,000. Mr. Lustgarten answered that he was a Health Officer, not a Chief Executive Officer. Mr. Caviness gave a definition of a Health Officer as "an individual who is

licensed pursuant to NJAC 8:7 and is employed full time as the Chief Executive Officer of a municipal, regional, county, or contractual health agency.”

Mr. Caviness asked if the Health Officer being hired met the three-page job description the Board had for a Health Officer. Mr. Lustgarten answered that the Health Officer would be required to meet Title 26, the regulations of N.J.A.C. 8:52 and the Health Code of the City of Englewood.

Mr. Caviness asked how that applied to the Rich Matzer letter dated April 19, 2007, where he told the Englewood Health Department that they were not in compliance, and that specifically what they needed to do was minimally, number 1, that the Health Officer shall be full time, and that the terms of the agreement shall be for no less than two years.

Mr. Lustgarten said that the Health Officer will be a full time person, the Englewood Health Department is in compliance, and that the State Health Department has been notified of the hiring of a Health Officer.

Mr. Caviness said the plan to defend the Carbone & Faasse matter was, in his opinion, a waste of money. He said he served on that Board, and he voted for that contract. They did the work, and the money was in the budget then, when the work was done. He said he would have no problem testifying for Carbone & Faasse to those facts.

Aaron Wilson, 165 Central Avenue, Englewood

Mr. Wilson referred to item No. 19, 2008 Budget Revision. He said he thought it had been stated that the nursing positions had been cut in half. He asked why a position would be cut when there seems to be an attempt to provide more services.

Ms. Lachman said the Board had asked for a breakdown, a few months ago, of the clinics that the nurses were servicing, and they were very poorly attended. We were not getting enough people in, and the nurses were not doing enough outreach in the community. She said that, right now, there does not seem to be a need to have the nurses for the number of hours that we do. The feasibility study for primary care is a bit different than having a well-baby clinic or young mothers. There are a lot of people who are in need of total medical services. The services we are providing now are not well attended, and, therefore, we are going to try to reduce those nursing-related expenditures. If the outreach is successful, and we continue to grow and need more of that particular service, we will re-look at the nurses’ hours, and their hours would be increased.

Mr. Wilson said for several years that unit was being carried along, and people were not attending. He said at one time it had been suggested that the whole program be sent to Englewood Hospital and Medical Center. Ms. Lachman said they were hoping to re-establish this for our community, because a lot of people are more comfortable coming to the Health Department than to the hospital. She said it was a matter of education, reaching out to people, telling them that we are here. She said there are probably a lot of people in Englewood who don’t know what the Health Department does, which is one of the reasons for getting the flyer out, in English and Spanish, and hopefully get some outreach to the churches and to where people congregate, so that they know what services we provide.

Mr. Cruz said the numbers speak for themselves. Since his arrival at the Health Department, the

numbers have dropped from 23 to 5 patients. It is hard to justify having two full time nurses. Unfortunately, the City is faced with a large fiscal shortfall, and each department has had to reduce their budgets, but we are mandated to provide these public health services. If you lose a position, it is very hard to get it back, but if you reduce a position, you can always increase it later from half time to full time.

Mr. Wilson said you would assume that these nurses do not like the idea of their time being cut, and we would probably lose them. They will probably find positions elsewhere, and you will have to start over again, with the possibility of paying even more to get a new person. Mr. Cruz said that is always a possibility, but these are difficult fiscal times that are being faced by other departments as well.

Mr. Wilson referred to item No. 20, the Proposed Contract for FQHC Feasibility Study. He repeated what Mr. Cruz had stated earlier, that next year we would not qualify for this grant. He asked if that had anything to do with the end of the Bush administration.

Mr. Cruz said that in order to qualify for federal dollars, we must be a designated MUP. The requirements right now to qualify as being a medically underserved population are less stringent than those being proposed for enactment in 2009. We would more than likely not be able to do so next year. This year we qualify, based on the eligibility requirements and data that we have.

Mr. Wilson commended Dr. Wisotsky for being vigilant and asking questions regarding this. He felt it was very educational.

With no further comments from the public, Ms. Lachman asked for a Motion to close the Public Session. Motion was made by Ms. Bostick, and seconded by Ms. Davis. Motion approved 7-0.

Mr. Lustgarten indicated that the Board would conduct a Closed Session. Mr. Cruz read the Closed Session Resolution as follows:

Whereas, the Open Public Meetings Act of the State of New Jersey permits the public to be excluded from certain matters to be discussed by the Board; and Whereas, the Board of Health of the City of Englewood desires to discuss the probationary status of the Health Educator, and legal matters pertaining to Carbone & Faasse v. Englewood Board of Health, and subpoena from the U.S. Attorney's office for documents; and Whereas, these matters are ones which permit the exclusion of the public from such discussions; and Whereas, minutes will be taken during the closed session, and a summary of the minutes will be made available to the public by May 14, 2008 (or upon approval of the minutes), and once the need for confidentiality no longer exists the minutes will be made available to the public,

NOW THEREFORE, BE IT RESOLVED, by the Board of Health of the City of Englewood that, the public be excluded since these matters, as set forth above, are ones which permit the exclusion of the public from such discussion: Reason for Exclusion: #7. Pending or anticipated litigation or contract negotiation/attorney client privilege; and #8. Employment matters relating to an employee unless the employee requests that the matter be discussed in public.

Ms. Lachman called for a Motion to begin the Closed Session. A Motion to begin the Closed Session was made by Ms. Levien, and seconded by Dr. Wisotsky. A roll call vote ensued:

Bertha-Nora Acosta	-	“Yes”	Lisa Levien	-	“Yes”
JoEllen Bostick	-	“Yes”	Dr. Earl Marsan	-	Out of room
Stephanie Davis	-	“Yes”	Dr. Lisa Wisotsky	-	“Yes”
Dianna Lachman	-	“Yes”			

Motion was carried.

(Closed Session)

26. Probationary Status - Health Educator/Training Coordinator

Mr. Cruz stated that the Health Educator had been on staff for six months and recommended that she be removed from probationary status. A Board consensus to accept his recommendation was confirmed.

27. Carbone and Faasse vs. Englewood Board of Health

Mr. Lustgarten discussed the current status and expected tasks related to the lawsuit.

28. Subpoena of the U. S. Attorney

Mr. Lustgarten explained the subpoena to the Board.

Motion to Adjourn was made by Ms. Bostick, and seconded by Ms. Davis. A roll call vote ensued. All members voted “aye,” in favor. Motion was carried.

The closed session ended and the meeting of the Board of Health officially adjourned at 9:35 p.m.

Respectfully submitted,

Nelson Xavier Cruz
Secretary to the Board
/jk