

**CITY OF ENGLEWOOD**

**BOARD OF HEALTH REGULAR MEETING**

**July 13, 2016**

1. The regular meeting of the Board of Health, City of Englewood, Bergen County, was called to order at 8:03 p.m. by Dr. Ketsia Sadler, President, Board of Health.

**MEMBERS PRESENT:**

Dr. Ketsia Sadler, President; Stephanie Davis, Vice President; Bertha-Nora Acosta; JoEllen Bostick (arrived 8:40 p.m.); Daniel Daniel; and Dr. Aliza Solomon.

**ALSO PRESENT:**

James Fedorko, Director, Health Services/Health Officer/Secretary to the Board; William C. Soukas, Esq., Board of Health Attorney; and Janet Hart, Confidential Executive Secretary.

**ABSENT/with apology:**

Dr. Lisa Wisotsky

Mr. Fedorko read the Open Public Meetings Statement. All stood to recite the Pledge of Allegiance.

Dr. Sadler, Board of Health President, stated that a request had been made to add Resolution R16-08 to the July 13<sup>th</sup> Agenda. Mr. Soukas, Board of Health Attorney, asked the Board to discuss and approve payment of the invoice for legal services rendered over three months in connection with the Smoke, Inc./Sofia Restaurant litigation.

Motion to approve the addition of Resolution R16-08 to the July 13, 2016 Board of Health Meeting Agenda was made by Mr. Daniel, and seconded by Dr. Solomon. Motion was approved 5-0.

2. A. Items for Approval

Motion to approve 2. A. i. (Minutes of June 8, 2016 Meeting-Open/Closed); 2. A. ii. (Receipts-\$20,494.50-June, 2016-); 2. A. iii. (Bills-\$9,138.13-June, 2016-); 2. A. iv. (Employee Reports-June, 2016); and 2. A. v. (Communications-June, 2016).

Motion to approve Items 2. A. i. – v. was made by Ms. Davis, and seconded by Ms. Acosta. Motion was approved 5-0.

2. B. Retail Licenses

Mr. Fedorko stated that there were seven licenses to be approved, as follows: Seafood Delight, Panera Bread #1877, Dolce & Salato Bakery, 23 South Englewood LLC, S & H Family Food Industry LL, RM Gourmet Company, and Wybrook Construction. He said that there had not been any written or verbal objection to the approval of these licenses. Motion to approve retail licenses for June, 2016 was made by Mr. Daniel, and seconded by Dr. Solomon. Motion was approved 5-0.

- 2. C. i. Board Liaison Reports
- ii. Committee Reports

There were no Board Reports for the month of June, 2016.

**ORDINANCES**

- 3. #16-03 Adding Chapter 9 of the Health Code of the City of Englewood, entitled "Tattooing unlawful: exception." (Introduction)

Motion to read Ordinance No. 16-03 by title only was made by Ms. Davis, and seconded by Ms. Acosta. A roll call vote ensued:

Bertha-Nora Acosta	-	"Yes"	Ketsia Alerte Sadler	-	"Yes"
JoEllen Bostick	-	Temporarily absent from meeting			
Daniel Daniel	-	"Yes"	Aliza Solomon	-	"Yes"
Stephanie Davis	-	"Yes"	Lisa Wisotsky	-	Absent

Motion was approved 5-0.

Mr. Soukas read the Resolution to Introduce Ordinance No. 16-03, as follows: Be it resolved that Ordinance No. 16-03 entitled "An Ordinance to Add Chapter 9 of the Health Code of the City of Englewood, entitled "Tattooing unlawful: exception"" be introduced and does now pass a first reading, and that said ordinance be further considered for final passage at a regular meeting of the Board of Health to be held at the Department of Health, 73 South Van Brunt Street, Englewood, New Jersey, on the 14<sup>th</sup> day of September, 2016, at 8:00 p.m., or as soon thereafter as the matter can be heard, and at said time and place, all persons interested be given an opportunity to be heard concerning the same, and the Board Secretary is hereby authorized and directed to publish said ordinance according to law prior to said hearing with a notice of its introduction and of the time and place, when, and where said ordinance will be considered for final passage.

A discussion ensued regarding appropriate licensing fees for a tattoo establishment. It was the consensus of the Board that the annual licensing fee for an establishment performing tattooing shall be \$500.

Motion to introduce Ordinance No. 16-03, as amended, was made by Mr. Daniel, and seconded by Dr. Solomon. A roll call vote ensued:

Bertha-Nora Acosta	-	"Yes"	Ketsia Alerte Sadler	-	"Yes"
JoEllen Bostick	-	Temporarily absent from meeting			
Daniel Daniel	-	"Yes"	Aliza Solomon	-	"Yes"
Stephanie Davis	-	"Yes"	Lisa Wisotsky	-	Absent

Motion was approved 5-0.

4. 16-04 Revising Chapter 6 of the Health Code of the City of Englewood, in the County of Bergen, New Jersey, "Fees and Fee Schedule." (Introduction)

Motion to read the ordinance by title only was made by Ms. Davis, and seconded by Ms. Acosta. A roll call vote ensued:

Bertha-Nora Acosta	-	"Yes"	Ketsia Alerte Sadler	-	"Yes"
JoEllen Bostick	-	Temporarily absent from meeting			
Daniel Daniel	-	"Yes"	Aliza Solomon	-	"Yes"
Stephanie Davis	-	"Yes"	Lisa Wisotsky	-	Absent

Motion was approved 5-0.

Mr. Soukas read the Resolution to Introduce Ordinance No. 16-04, as follows: Be it resolved that Ordinance No. 16-04 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" be introduced and does now pass a first reading, and that said ordinance be further considered for final passage at a regular meeting of the Board of Health to be held at the Department of Health, 73 South Van Brunt Street, Englewood, New Jersey, on the 14<sup>th</sup> day of September, 2016, at 8:00 p.m., or as soon thereafter as the matter can be heard, and at said time and place, all persons interested be given an opportunity to be heard concerning the same, and the Board Secretary is hereby authorized and directed to publish said ordinance according to law prior to said hearing with a notice of its introduction and of the time and place, when, and where said ordinance will be considered for final passage.

It was the consensus of the Board to add an annual licensing fee of \$500 for any tattoo establishments in the City of Englewood.

Motion to introduce Ordinance No. 16-04, as amended, was made by Ms. Davis, and seconded by Mr. Daniel. A roll call vote ensued:

Bertha-Nora Acosta	-	"Yes"	Ketsia Alerte Sadler	-	"Yes"
JoEllen Bostick	-	Temporarily absent from meeting			
Daniel Daniel	-	"Yes"	Aliza Solomon	-	"Yes"
Stephanie Davis	-	"Yes"	Lisa Wisotsky	-	Absent

Motion was approved 5-0.

### **RESOLUTIONS**

5. R16-08      Approving Expenditures for Litigation Submitted through 6/30/16

Mr. Soukas read Resolution R16-08, approving expenditures for litigation submitted through June 30, 2016, in its entirety. Motion to approve was made by Mr. Daniel, and seconded by Ms. Acosta. Motion was approved 5-0.

### **OLD BUSINESS**

6. Zika Virus Update

Mr. Fedorko reported that there have been several cases of Zika virus in Bergen County, none of which were locally transmitted. He said Zika cases are tracked by the State Health Department Zika Team, and not at the local health departments. Mr. Fedorko, the Public Health Nurse, and the Public Health Investigator participate in frequent teleconferences and training sessions on the Zika virus. Mr. Fedorko said he and Department staff have been conducting outreach on the Zika virus at Bergen Family Center, Independence Day event, and the Farmers Market.

7. Diabetes Self-Management Class

Mr. Fedorko distributed the flyers written in Spanish by Quality Insights for the upcoming class at 111 West Street on diabetes self-management. A minimum of twenty participants is needed for the class. He said his goal is to have at least three of these classes a year. He is presently looking for a new location to hold the classes in English.

8. Child Health Clinic – Change in Hours of Operation

Mr. Fedorko reported that the hours of operation of the Child Health Clinic in the Department would be changing in September, 2016. Starting in September, there will be a morning clinic on the first Thursday of the month and an evening clinic on the fourth Tuesday of the month.

**NEW BUSINESS**

9. Lead Testing at Englewood Schools

Mr. Fedorko told the Board that he had contacted some of the Englewood day care centers and private schools regarding testing of their water for lead. He said some of them use only bottled water and referred them to companies that do lead testing of water. The Board asked Mr. Fedorko to follow up on this issue with the schools.

10. Partnership with Rutgers School of Nursing

Mr. Fedorko stated that the Department has a tentative partnership with the Rutgers School of Nursing. Rutgers' nursing students would work with the Department on outreach to Englewood senior citizens from September to December, 2016.

11. Community Development Block Grant

Mr. Fedorko reported that the application for the FY2017-18 Community Development Block Grant is due on October 1, 2016. This year the Department's application will include a weight-loss challenge, and the Health Educator is currently developing the program. The Board requested that Mr. Fedorko investigate how past weight-loss challenges were run.

12. Understanding & Planning for School Bomb Incidents

Mr. Fedorko reported that he attended a training program titled "Understanding and Planning for School Bomb Incidents" at the Middlesex County Fire Academy in Sayreville, New Jersey, on June 23, 2016. He said the majority of the attendees were police officers, and that the course was good but didn't answer specific questions. They did say the School Resource Officer is probably the most important person in a school system to detect a threat of this kind, and that they rely on informants. The schools need to develop a threat assessment response plan and conduct training for potential bomb threats.

13. Other Business

Ms. Davis told the Board that one of her contact numbers had changed.

The potential use of Pokemon-Go and Twitter was discussed for Department events. It was felt by some people that Pokemon-Go is disrespectful and could be dangerous to use in certain areas. The Board agreed to try Twitter during the Englewood Sidewalk Sale.

## **PUBLIC COMMENT**

Motion to open the time for public comment was made by Ms. Bostick, and seconded by Ms. Acosta. Motion was approved 6-0. No members of the public were present at this time. Motion to close the time for public comment was made by Ms. Davis, and seconded by Dr. Solomon. Motion was approved 6-0.

Mr. Soukas then 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 Sofia Restaurant litigation and certain employment matters relating to the employment of the Health Officer; 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 the next public meeting 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: Pending or anticipated litigation, and employment matters relating to any specific current employee.

Motion to begin the Closed Session was made by Ms. Bostick, and seconded by Dr. Solomon. Motion was approved 6-0.

### **(Closed Session)**

Mr. Soukas updated the Board on the Sofia Restaurant/Smoke, Inc. case.

The Director/Health Officer's annual performance evaluation and pending three-year contract were discussed.

### **(Open Session)**

Motion to amend the Agenda to vote on a Resolution approving the contract of the Director/Health Officer was made by Ms. Bostick, and seconded by Ms. Davis. Motion was approved 6-0.

### **Resolution R16-09**

Whereas James M. Fedorko is employed by the Board of Health as Director of Health Services/Health Officer for the City of Englewood Board of Health pursuant to a contract with a three year term expiring on August 4, 2016, and

Whereas the Board and Mr. Fedorko have negotiated the continuation of Mr. Fedorko's contract of employment for another three year term commencing on August 5, 2016 and concluding on August 4, 2019, at an annual salary of \$97,000,

Now therefore be it resolved by the Board of Health of the City of Englewood that the contract of employment for James M. Fedorko for a three year period commencing on August 5, 2016, and expiring August 4, 2019, at an initial salary of \$97,000 be and is hereby ratified and approved.

Motion to approve Resolution R16-09 was made by Ms. Davis, and seconded by Ms. Acosta. Motion was approved 6-0.

Mr. Fedorko thanked the Board.

### **ADJOURN**

Motion to adjourn was made by Ms. Bostick, and seconded by Mr. Daniel. All members voted "aye," in favor. Motion was carried.

The meeting officially adjourned at 9:45 p.m.

Respectfully submitted,

James Fedorko  
Secretary to the Board  
/jh