

WARREN BOARD OF HEALTH MINUTES
July 21, 2010 - 7:00pm
2ND FLOOR CONFERENCE ROOM – MUNICIPAL BUILDING
46 MOUNTAIN BOULEVARD, WARREN

Call to Order: The regular public meeting of the Warren Township Board of Health was called to order at 7:02 p.m. by Mr. Malcolm Plager, Chairman/President.

Flag Salute:

The Opening Statement: Adequate notice of this meeting was given on July 1, 2010 by posting a copy on the Township Bulletin Board and sending a copy to the Township Clerk, Echoes Sentinel and Courier News as required by the Open Public Meetings Act. We plan to adjourn no later than 10:00 P.M.

Roll Call:

Dr. DeMarco -	Present	<u>Alternate #1</u>
Mrs. Garrison -	Present	Mrs. Cooper - Present
Mr. Morlino -	Absent	<u>Alternate #2</u>
Dr. Sarraf –	Present	Mr. Riley - Present
Mr. Sordillo -	Absent	
Mr. Zimmerman -	Present	Mr. Plager – Present

Privilege of the Floor: **None**

Approval of Minutes: **May 12, 2010 General Minutes /
Executive Minutes May 12, 2010**

Motion was made by Mr. Riley second by Mrs. Cooper to approve the Minutes of May 12, 2010 as amended.

Roll Call:

Dr. DeMarco-	Yes
Mrs. Garrison -	Yes
Dr. Sarraf-	Yes
Mr. Zimmerman -	Yes
Mrs. Cooper –	Yes
Mr. Riley –	Yes
Mr. Plager –	Yes

Motion was made by Mr. Riley second by Mrs. Garrison to approve the Executive Minutes of May 12, 2010.

Roll Call:

Dr. DeMarco-	Yes
Mrs. Garrison -	Yes
Dr. Sarraf-	Recused
Mr. Zimmerman -	Yes
Mrs. Cooper –	Yes
Mr. Riley –	Yes
Mr. Plager –	Yes

Correspondence: Please See Correspondence File

Reports of Employees/Health Officer Report:

Mr. Sumner stated that he sees no concern for the fall flu season.

There have been no new cases reported of H1N1 currently in NJ.

Financial Reports:

Treasurer's Report: Receipts- May 2010

Receipts for Registrar:	\$254.00
Health	\$620.25
Application Fees	\$0.00
Septic and Well	<u>\$245.00</u>
Total Health	\$1,119.25
Dogs	\$194.00
Cats	<u>\$0.00</u>
Total Animal	\$194.00
Grand Total Receipts May 2010	<u>\$1313.25</u>

Disbursements: May 2010

Health:

40 Cassette Tapes	<u>\$55.60</u>
Total Health Disbursement	<u>\$55.60</u>

Animal Control:

State Dog Licensing Fee for May	\$31.80
Animal Control Pager	\$4.48
Total Animal Control Disbursements	<u>\$36.28</u>
Total Disbursements – May 2010	<u>\$91.88</u>

Treasurer's Report: Receipts- June 2010

Receipts for Registrar:	\$372.00
Health	\$291.75
Application Fees	\$400.00
Septic and Well	<u>\$340.00</u>
Total Health	\$1403.75
Dogs	\$115.00
Cats	<u>\$24.00</u>
Total Animal	\$139.00

Grand Total Receipts June 2010 **\$1542.75**

Disbursements: June

Health:

Visiting Nurse Association 2010	\$1385.00
Total Health Disbursement	<u>\$1385.00</u>

Warren Township Board of Health

July 21, 2010

Page 3

Animal Control:

State Dog Licensing Fee for June	<u>\$15.00</u>
Total Animal Control Disbursements	\$15.00

Total Disbursements – June 2010	<u>\$1400.00</u>
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Motion was made by Mr. Riley second by Mrs. Cooper to approve the Financial Reports of May 2010 and June 2010 as read.

Dr. Sarraf asked what happens when someone objects to the bill. Mr. Plager stated that at the Township Committee level, there is a list of bills which they can ask for. If Dr. Sarraf is interested, he can stop in the Board of Health office and go through the bills ahead of time.

Mr. Plager asked that when the Board of Health packets get mailed out, a bill list is included for Dr. Sarraf.

Roll Call:

Dr. DeMarco-	Yes
Mrs. Garrison -	Yes
Mr. Zimmerman -	Yes
Dr. Sarraf-	Abstain
Mrs. Cooper –	Yes
Mr. Riley –	Yes
Mr. Plager –	Yes

Resolution 2010-19

18 & 20 Mountain Boulevard
Block 80, Lots 16 & 17

Application:	Site Plan
Owner/Applicant:	Aristede C. DeTorres
Engineer:	Titus Surveying & Engineering, P.C.
Attorney:	Richard M. Sasso, Esq.

Mr. Plager stated that he recalls that the neighbor was to be notified of the reading of the resolution and asked if the resolution should be tabled. Mr. Riley asked if a letter has been submitted signed by the neighbor. Mr. Sumner stated that the Health Department has not received a letter.

Mr. Riley stated he doesn't recall the request to have the neighbor present for tonight's meeting. He recalls that Mr. Plager introduced a requirement that the applicant notice the neighbor in writing by letter and that the applicant was to obtain a signed receipt from the neighbor acknowledging the offer to grant an easement for the water line across the property and to underwrite the expense. Mr. Plager felt it was important for the neighbor to receive notice.

Mrs. Cooper stated that the neighbor will be notified for the Board of Adjustment meeting. Mr. Plager stated that would handle it. He wanted to make sure the Board of Health sent a notice to the Board of Adjustment to please contact the neighbor for the night of the hearing.

Counsel for the Board stated that the Board of Health is not legally obligated to invite the neighbor to its meeting for site plan approval.

Warren Township Board of Health

July 21, 2010

Page 4

Resolution 2010-19 (continued)

Motion was made by Mr. Riley second by Mrs. Cooper to approve Resolution 2010-19 for discussion.

Mr. Riley would like a Whereas clause to be added to state the date the application was heard before the Board of Health.

Mr. Riley stated that in condition number 6, he would like to add “deed restriction” to the first sentence to read “An easement, deed restriction, or covenant to run.....”

The words “hooked up” were changed to “connected” in condition number 5.

Motion was made by Mr. Riley second by Mrs. Garrison to approve Resolution 2010-19 as amended.

Roll Call:

Dr. DeMarco-	Yes
Mrs. Garrison -	Yes
Mrs. Cooper –	Yes
Mr. Riley –	Yes
Mr. Plager –	Yes

Mr. Plager was recused from Resolution 2010-20 and left the room at 7:26pm. Dr. DeMarco took over the meeting.

Resolution 2010-20

17 Dock Watch Hollow Road

Block 25, Lot 34

Application: Site Plan Application

Owner: County of Somerset

Applicant: New York SMSA Limited Partnership d/b/a Verizon Wireless

Engineer: Stephen A. Bray, PE

Attorney: Gregory D. Meese, Esq.

Motion was made by Mr. Riley second by Dr. Sarraf to amend Resolution 2010-20.

Mr. Riley stated that Verizon’s engineer testified that Verizon doesn’t store its equipment in cabinets; they use pre-fabricated shelters or enclosures. He suggested that on page two, paragraph b, it should read, “The application includes a prefabricated shelter to be installed at the base of the tower...”

On page three, first paragraph Mr. Riley would like the word “safety” added before the word “limits.” Counsel stated that she felt the word “applicable” would be better. Mr. Riley agreed.

Page four, paragraph 11, “Subject to the provisions of Condition #2 hereof” was added to the beginning of the paragraph.

Page five, paragraph 13, “prefabricated shelter” is being changed from “equipment cabinet.”

Mr. Riley wanted to change ”dB” to “sound levels” in paragraphs 13 and sixteen on page 5.

Warren Township Board of Health

July 21, 2010

Page 5

Resolution 2010-20 (continued)

Dr. DeMarco took a poll to see if the Board wanted to make the change from dB to sound levels: The Board said no.

Dr. DeMarco asked Mr. Riley if he wanted to withdraw this request for the “dB” change. Mr. Riley stated no.

Roll Call:

Dr. DeMarco-	No
Mrs. Garrison -	No
Dr. Sarraf-	Yes
Mr. Zimmerman-	No
Mrs. Cooper –	No
Mr. Riley-	Yes

Motion was made by Mr. Riley second by Mrs. Garrison to approve resolution 2010-20 with the noted amends above excluding the amendment for changes to paragraphs 16 and 13 on page 5.

Roll Call:

Dr. DeMarco-	Yes
Mrs. Garrison -	Yes
Dr. Sarraf-	Yes
Mr. Zimmerman-	Yes
Mrs. Cooper –	Yes
Mr. Riley-	Yes

Mr. Plager returned to the room at 7:48pm and resumed running the meeting.

Counsel for the Board was recused from Resolution 2010-21 and left the room at 7:48pm

Resolution 2010-21

136 Mount Bethel Road

Block 79, Lot 1

Application: Variance from Ordinance 97-1 requiring certain provisions for solid waste and recyclable storage and disposal

Owner: Steamfitters Local Union #475

Engineer: Bob Gazzale, Fisk Associates

Motion was made by Mr. Riley second by Mrs. Cooper to amend Resolution 2010-21.

Mr. Riley stated that the hearing date needed to be added into the resolution.

In the last Whereas paragraph, last sentence, it was changed to read “However a variance from the Warren ordinance is being applied for as follows:”

Mr. Riley suggested that on page two, the fourth paragraph be changed to read “if the chain link fence becomes damaged or is....”

Motion was made by Dr. Sarraf second by Mr. Zimmerman to approve Resolution 2010-21 as amended.

Warren Township Board of Health

July 21, 2010

Page 6

Roll Call:

Dr. DeMarco-	Yes
Mrs. Garrison -	Yes
Dr. Sarraf-	Yes
Mr. Zimmerman-	Yes
Mrs. Cooper –	Yes
Mr. Riley-	Yes
Mr. Plager-	Yes

Counsel returned to the meeting at 7:58pm.

Case #1 – July 21, 2010

Mountain Blvd. and Apple Tree Lane

Block 87.03, Lots 1 and 6.01

Application: Major Subdivision

Owner/Applicant: Estate of Maryann Lopas

Subdivider: Distinctive Properties, LLC

Engineer: Robert B. Heibell, Van Cleef Engineering Associates

Attorney: Richard Kaplan, Esq.

Dan Pollera, Partner of Distinctive Properties, LLC, Karen William, executrix of the estate, and Thomas Uzzo, President, of Whitestone Associates, were present and sworn in to testify.

Mr. Sumner stated that the Board raised concerns about the environmental conditions at the last Board meeting. The Board wanted the Phase 1 and Phase 2 environmental reports to be submitted. Those reports have been submitted and reviewed.

Thomas Uzzo, President, Whitestone Associates was sworn in and the Board accepted his qualifications. Mr. Uzzo testified that he is a qualified licensed site remediation professional (LSRP).

Counsel for the Board stated that the DEP has licensed certain environmental professionals who stand in the shoes of the Department. Should Mr. Uzzo determine that any remediation needs to be done at the site, he is the one who will make the determination as to whether or not any remediation needs to be done. If so, he will actually sign off on it. It will not be done under DEP oversight. This is the new program DEP has implemented.

Mr. Uzzo testified that the LSRP still applies appropriate DEP criteria for determining whether some form of environmental remediation is required. The LSRP now takes the process from initial investigation through clean up and certification of clean up.

Mr. Sumner asked Mr. Uzzo if the Phase I and Phase II environmental studies meet DEP requirements for the site. Mr. Uzzo testified there are no requirements by DEP to conduct environmental due diligence for property transfers or to evaluate a site initially on behalf of a buyer or developer. What the DEP has is a standard reporting format which is different from federal guidelines published by ASTM. Mr. Uzzo testified he did a Phase I environmental site assessment (ESA) which recognized environmental conditions as follows: There were former underground storage tanks on the site that have been removed. There is a history of trucking and automotive operations that were conducted on site since the mid 1940's. They also highlighted that there was both potential for soil and ground water contamination as a result of those current and historic

Case #1 – July 21, 2010 (continued)

operations. In addition, there was a report of a release that occurred in 1988 of bilge water from a tanker that had been brought to the site. This material was released to the storm drains on the site and flowed into the Brook towards the golf course. The incident was reported to DEP and the case was closed out. Mr. Uzzo testified that their summary of the ESA was that there was potential for environmental impact on the site.

Mr. Uzzo testified that the Phase II site investigation did target sampling of both soil and ground water specifically to look at the recognized environmental conditions and to determine if they had an impact that would require reporting to DEP and possibly remediation. Mr. Uzzo testified that to summarize his findings from the site investigation process, none of the samples taken exhibited contamination in excess of laboratory detection limits. None of the samples contained contamination that exceeded DEP standards. The findings were that there was no remediation required.

Mr. Uzzo testified the sampling looked at two parameters, total petroleum hydrocarbons, as well as volatile organic compounds.

Mr. Zimmerman asked if they looked for lead or other metals. Mr. Uzzo testified that they didn't look for lead or metals. They suspect that there is lead based paint on the buildings, but that will be dealt with during demolition. He testified that there is no requirement for lead abatement on that site prior to the building being demolished. It just impacts how the demo waste would be disposed of.

Mr. Uzzo testified that based on what was found in the environmental site assessment there is no need to do lead sampling specifically as no lead compounds were handled on the site.

Mr. Plager stated that Mr. Uzzo testified that there is a possibility of lead paint on the building. The building is to be demolished. How do you protect the workers doing the demolition from the possibility of lead being released into the air? Mr. Uzzo testified that the only regulations pertaining to lead based paint removal involve public housing units where a building is being renovated for public habitation.

Mr. Uzzo testified that when a building is demolished, a set of OSHA standards must be followed. You must monitor your employees for lead exposure and lead content in blood. There are also precautions that are taken such as wetting during demolition and dust remediation measures. There is no requirement to abate the lead paint prior to demolition.

Mr. Plager asked when demolishing the building with lead based paint, how do you prevent the dust from impacting the ground water? Mr. Uzzo testified that there is no communication between the dust and the ground water. In order for lead to impact ground water you have to have some sort of transport mechanism such as an acidic solution that would leach lead into ground water.

Mr. Pollera testified that when a building is demolished, a cover is laid around the building on the ground. The building is then taken down and that cover is appropriately disposed of.

Mr. Zimmerman asked about the gas tank and the lead in the gas line. Mr. Uzzo testified that they don't know the years the gas tank was used and if there was leaded gasoline in it. Mr. Zimmerman expressed his concern over some lead compounds possibly seeping into the basement of the properties. He is not sure how likely that would be, or what kind of concentration you would have, but has Mr. Uzzo looked at that possibility? Mr. Uzzo testified that they have

Case #1 – July 21, 2010 (continued)

recognized and evaluated the environmental conditions at the site. They have selected the compounds analyzed based on those conditions. Any excavated soils for the construction of basements will be removed from the site. Mr. Uzzo testified that the tanks were in one specific area that he showed the Board on the boring location site map dated 08/26/2009.

Counsel asked Mr. Uzzo that if he did a preliminary assessment site investigation, would it have been different than what was conducted. Mr. Uzzo testified that the contents of the report would have been different due to the formatting, but the findings and conclusions would have been identical.

Mr. Uzzo testified that the report was conducted for due diligence purposes and not intended to be submitted to DEP, and not prepared to be submitted to DEP. It is prepared for submittal to a client and their lender to determine whether or not they have the potential for conditions that will warrant further investigation, reporting to DEP or remediation. None of what was done is required by DEP.

Mr. Plager asked if any soil testing was done to determine whether or not there is gasoline product within the soils at the depth of the basement. The issue is the possibility of leaching into the building. Mr. Uzzo testified that sampling was conducted directly through the excavation of where the tanks came out. They tested right through to the rock. They looked at the worst case areas for potential for contamination. That is how they formulated an understanding of the site.

Mr. Uzzo testified that samples were also taken in the former septic location. They saw no evidence of contamination in the samples. They were below laboratory detection limits.

Mr. Plager asked Mr. Sumner his interpretation of the "Scope of Work and Limitation" in the letter dated September 3, 2009, which states "This investigation was not intended to be an exhaustive evaluation of subsurface conditions at the subject property and was prepared for the sole use of Distinctive Properties, its successors, representatives, and assigns for due diligence purposes. This report should not be relied upon by any third party without Whitestone's written consent."

Mr. Uzzo testified that is language that is required by lenders.

Mr. Sumner stated that he agrees with Mr. Uzzo and that they did not sample throughout the entire site. They sampled based on the results of their Phase I investigation. They identified areas of concern and concentrated on those areas. The tanks were removed in 1988. If there was contamination documented, there would have been a report at that time.

Counsel asked if there was a storage area on site. Mr. Uzzo testified that they were told by the property owners that the storage area was either in the building or the shed.

Mr. Uzzo testified that they are not sure of the exact location of the spill, but from what they found, they believed the valve was opened right over the storm drain.

Mr. Riley asked that since the tanks were removed over 20 years ago, what evidence they had to locate the areas of concern. Mr. Uzzo testified that the tank area was shown to them by the operator who was on site when the tanks were removed. They sampled that general area and looked for consistency in materials. They sampled through the fill and that is why there are three samples. Mr. Riley asked if there were any documents that showed the location of the tanks. Mr. Uzzo testified

Case #1 – July 21, 2010 (continued)

there were no site plans, or anything that documented specifically where the tanks were, except they saw evidence of back fill material.

Mr. Plager stated that he felt that Mr. Uzzo testified very clearly that he went to the worst places of the site and found nothing that exceeded DEP requirements.

Mr. Sumner's questions have been answered, but there is a lingering question from the Board about lead. Mr. Sumner's suggestion is that if there is a concern about lead, the concern should be about contamination of soils by lead and then exposure by children to soils on the property. If that is a concern of the Board, they can make a condition of approval to test soils around the proposed dwelling(s) to ensure the Applicant doesn't exceed limits for lead exposure for children.

Mr. Plager is satisfied the way the building will be taken down will protect it, but he is still concerned about soils themselves.

Dr. DeMarco asked Mr. Uzzo how common is it to get lead contamination in soils from lead based paint. Mr. Uzzo testified that you would find lead in upper soils if you had a badly peeling building, but the lead would not travel. You generally will not see it once you brush away a couple of inches of soil. Mr. Uzzo testified that if you had that condition of peeling paint and lead visible in soils, you would remove that material and test it.

Mr. Zimmerman asked if there were any plans to test for lead at any point. Mr. Uzzo testified no. He doesn't have any concern about residual lead contamination as a result of the underground storage tank or a result of the building. If they had seen during their time on site any evidence of badly flaking paint in the soils around the building they would have recommended testing at that time to see if action needed to be taken.

Mr. Plager asked if where the other building locations are, are there going to be houses there. Mr. Uzzo testified he has not seen a site plan for the property.

Counsel asked if there was asbestos in the buildings. Mr. Uzzo testified that there is asbestos in the buildings which will be properly remediated when the buildings are demolished.

Dr. DeMarco left the room at 8:41pm and returned at 8:44pm

Mr. Plager asked if the well in the house was tested. Mr. Uzzo testified no since the well will be abandoned and is currently not in use.

Mr. Plager polled the Board members to see if they are satisfied with the testimony given or do they want something else.

Mr. Zimmerman- would like see some heavy metal analysis.

Mrs. Cooper- satisfied with the testimony, but doesn't object to the heavy metal testing.

Dr. DeMarco- feels comfortable with the testimony and extent of current testing.

Mr. Riley- ok with everything

Mrs. Garrison- ok with everything

Dr. Sarraf- ok with everything

Warren Township Board of Health

July 21, 2010

Page 10

Case #1 – July 21, 2010 (continued)

Mr. Plager - knows the history of the property. There was a lot of painting done on site. He is worried about the lead and wants the soil around foundations tested for lead.

Mr. Sumner stated that based on what he heard, the Board could require the applicant to show that there is no lead contamination as a condition of approval. He suggested the applicant show that the property is clean after demolition of the building, but before construction and thus construction permits would not be issued until this action was taken.

The Board was ok with Mr. Sumner's suggestion. Mr. Riley was not opposed to it, but doesn't feel it is necessary.

Mr. Pollera testified that he would like to be able to test the property now, because he can't afford to buy the property and find out he can't move forward.

The Board had no problems with having the applicant test now. They requested that the sample results be forwarded to the Board before the next Board meeting in September. Mr. Pollera testified that he will sample where each house will be located.

Motion was made by Dr. Sarraf second by Mr. Plager to approve the application with the requirement for the lead testing.

Roll Call:

Dr. DeMarco-	Yes
Mrs. Garrison -	Yes
Dr. Sarraf-	Yes
Mr. Zimmerman-	Yes
Mrs. Cooper –	Yes
Mr. Riley-	Yes
Mr. Plager-	Yes

Case #2- July 21, 2010

2 & 4 Lindbergh Ave.

Block 114, Lots 22.01 & 22.02

Application: Site Plan

Owner/ Applicant: Cooperative Housing Corporation

Engineer: John Cilo

Attorney: Michael P. O'Grodnick, Esq.

Michael O'Grodnick Esq., Mauro, Savo, Camerino, Grant & Schalk PA, Marymae Henley, Assistant Director of Cooperative Housing, and John Cilo PE, of John Cilo Jr. Associates were present.

Mr. O'Grodnick stated that the applicant proposes to construct additions to two existing affordable housing structures to accommodate additional affordable housing for senior citizens. The subject properties are adjacent to each other.

Ms. Marymae Henley and Mr. John Cilo were sworn in to testify.

Warren Township Board of Health

July 21, 2010

Page 11

Case #2 – July 21, 2010 (continued)

Ms. Henley testified that the first house was built in 2001 at 4 Lindbergh Ave. and in 2005 the second house was built at 2 Lindbergh Ave.

Mr. O’Grodnick stated that these houses are COAH units and are limited to individuals with an income restriction and who are 62 years and older. These seniors rent the rooms from Cooperative Housing. Right now there are five senior COAH-units on each of the properties. They are proposing an expansion of 2800 square feet in each house.

Applicant proposes to add a one story addition to each of the existing one story frame dwellings. The addition will consist of five units, each with one bedroom and one bathroom, plus additional common areas which consist of a living room, dining room, kitchen, porch, and laundry room. In addition they are proposing adding a staff apartment in the basement of the 4 Lindbergh Ave. unit. There is currently an apartment located at 2 Lindbergh Ave. In addition, access ramps to each building are being requested.

Ms. Henley testified that as far as sewer capacity, they are deemed to need a single EDU of service as they are classified as a single family unit. The apartments have full baths. The sewer resolution covers the 5 senior COAH units in each of the houses. With regard to the new staff apartment, they still need to seek approval from the Sewer Authority. Mr. Sumner stated that the Board can subject their approval on getting Sewer Authority’s approval for the apartment.

Mr. O’Grodnick stated that these dwellings are considered single family units. These dwellings are not an assisted living or hospice facility. The seniors have to be mobile and have doctor’s clearance.

Ms. Henley testified that there are kitchenettes in the units, but they are used for light cooking for breakfast and lunch. The main meals are catered and brought in Monday through Saturday. This facility is not staffed 24/7.

Motion was made by Dr. Sarraf second by Mr. Riley to approve the application as presented.

Roll Call:

Dr. DeMarco-	Yes
Mrs. Garrison -	Yes
Dr. Sarraf-	Yes
Mr. Zimmerman-	Yes
Mrs. Cooper –	Yes
Mr. Riley-	Yes
Mr. Plager-	Yes

Mr. O’Grodnick requested a letter be given to the Planning Board informing them that the application was approved, and the resolution should be passed in September since they are scheduled for a TCC meeting on August 23, 2010. The Board agreed to that letter.

Dr. Sarraf left the meeting at 9:44pm.

Old Business: None:

Warren Township Board of Health

July 21, 2010

Page 12

New Business: None:

Middle Brook Regional Health Commission Report

Mr. Riley stated that on June 14, 2010, Mayor Robert Sherr of Middlesex Borough appeared. He spoke to the Commission and informed them that Middlesex is shopping around for other alternatives and prices. The representative on the Commission that represents Middlesex is constantly requesting data analysis about what services are provided and expenses.

The H1N1 Flu grant has been received.

The Commission has been considering discontinuing payments of Medicare Part B premiums for retired employees. This could be a savings of \$4500. A motion was made to carry this matter to the next meeting.

The annual report was distributed to the Commission members. A tremendous job was done on the report by Colleen McKay Wharton, the Health Educator.

The annual education meeting for Board Members will be held in late August.

Mr. Riley reported that on July 12, 2010, the Commission meeting was held. The treasurer's report was approved. There was discussion on the Worker's Compensation insurance premium of \$16,000 for 9 employees. There was discussion about joining a joint insurance fund.

Most of the July meeting dealt with Bound Brook. Bound Brook is having problems. The Commission has received a payment from Bound Brook that was short from the agreed contract of \$8000 per quarter. There was a meeting with the Township Administrator and Mayor. Bound Brook has no money, and is over \$1000000 short on the town budget. They are looking at a 35% tax increase for each homeowner. The Mayor stated that Bound Brook is experiencing escalating costs with respect to pension and health care benefits and their rateables have remained flat and are not generating additional income. The Commission has since laid off the Health Inspector that was assigned to Bound Brook, Heather Ross.

Mr. Riley stated that the Commission will still provide services to Bound Brook, but on an emergency basis.

Mr. Riley stated that there is a high potential that Middlesex will leave the Commission. That leaves the Commission in a bind, since their offices are located in Middlesex. Mr. Plager stated that the Commission is heading towards a brick wall. He doesn't know how the Commission would survive without Middlesex.

Mr. Riley stated that Watchung feels very strongly about remaining a part of the Commission, as does Warren. Mr. Plager stated that Warren would not pick up additional funds.

Requests for proposals have been made by Middlesex Borough to Middlesex County Health Department and Edison Township Health Department. Edison Township Health Department is reluctant to submit a proposal. Middlesex's payment to the Commission is roughly \$121,000 to provide all services. Mr. Sumner stated that he is not convinced that Middlesex will withdraw. He met with the Middlesex County Health Department today to review services provided so as to assure

Middle Brook Regional Health Commission Report (continued)

a proposal that is comparable to what is currently provided. The Middlesex Board President was also present at today's meeting and hopefully got a sense of the services that would be lost. For example, the child health conference that provides well-baby services locally would be eliminated. No blood pressure screening will be conducted at the county level resulting in the elimination of three hours of blood pressure screening every other month and one hour of blood pressure screening on the off months that is currently provided.

Mr. Sumner stated that the Commission staff is not paid for overtime nor for being on call. That is all considered part of the job duties. The County is automatically paid for carrying a pager and gets a minimum of two hours overtime pay every time the phone rings. He also noted that he attends all Board meetings. The County Health Officer would not attend and would likely just send staff.

The Commission is in the process of drafting a letter to Bound Brook notifying them that after 6 months, if no resolution is found, they will be asked to withdraw from the Commission.

Mr. Sumner stated that he met with the Green Brook Township Mayor and Committee to explain the situation to them. They felt that a meeting with the Bound Brook Mayor was a good idea.

Mr. Sumner spoke with the Somerset County Health Officer, John Horensky. His position is that he is more than willing to discuss taking Mr. Sumner to support his operations but that in order to be financially feasible, he would not be able to take all the Commission staff and that there is no way within the County system to have another Health Officer on staff; the title would have to change. Some process would have to be worked out.

Mr. Riley asked the Board, what do they want him to report back to the Commission for the next meeting? Mr. Plager feels that there is a contract for 2010 and would not recommend any increase in payment to the Commission to off set any lost revenue from another municipality. Second, Mr. Plager wants Middle-Brook to sustain and very much wants Warren to continue with it. Since it was formed it has been an exemplary organization and it provides services others don't. He doesn't want to see that change. Third, there has to be some way out, but he doesn't see the light unless the County is somehow willing to participate. Mr. Plager is in favor of a meeting of the Mayors with Bound Brook. He doesn't think it would hurt anything.

Mr. Zimmerman stated that he really doesn't know enough about how these organizations function to say anything helpful.

Mrs. Cooper suggested that as a back burner contingency plan to look at should Middlesex pull out, where would you go. What are your options in the other participating towns?

Mrs. Garrison suggested looking at other towns.

Mr. Plager stated that he has the Township's support to continue to support Mr. Sumner and the Commission.

Adjournment:

Motion was made by Mrs. Cooper second by Mr. Riley to adjourn at 10:00pm.

Respectfully submitted,

**Barbara Streker, Clerk, Warren
Township Board of Health**

July/BOHMEETINGS2010