

April 16, 2018

**BOROUGH OF ELMWOOD PARK
REGULAR MEETING
BOARD OF HEALTH
April 16, 2018
7:00 p.m.**

The Regular Meeting of the Elmwood Park Board of Health for April 16, 2018 was called to order by Board Secretary Barbara Dispoto at 7:02 p.m.

Board of Health Members DeMarzio, Ingui, Levine, Morello, Proctor and McCauley were present. Board Member Spinelli was absent. Also present Health Inspector Michelle Delyannis, Board Secretary Barbara Dispoto, Councilwoman Pellegrine and Borough Clerk Keith Kazmark.

Whereas, Chapter 231 of the Public Laws of the State of New Jersey requires at the commencement of every meeting a Statement of Compliance be read by the presiding officer.

Now, Therefore Be Advised, that the meeting requirements for this meeting have been met by publishing an annual meeting notice in The Record and Herald News of Woodland Park and by posting such notice in the office of the Health Department and the Borough Clerk as well as in a public place within the Municipal Building, and by notifying interested citizens. Said notice was posted on December 15, 2017.

Public Hearing:

A motion was made by Board Member Morello and seconded by Board Member DeMarzio to open the floor for public comment. Motion carried by the members present.

Laura Cole, Washington Avenue, inquired as to the how, when and why there is one employee doing multiple jobs and suggested the restructuring of the duties. Mrs. Cole also asked for clarification as to the term stipend.

Regular Meeting Agenda Items:

1 – Discussion with Municipal Clerk Keith Kazmark regarding appropriate language with NJ State Pension System –Borough Clerk Keith Kazmark discussed the different transitions that took place within the Health Department in the last decade. He further discussed the cost allocation for the separate titles. Mr. Kazmark discussed what form of compensation is considered a stipend. Board Member DeMarzio inquired about removing the word stipend and his desire to be fiscally responsible. Mr. Kazmark stated that removing the word stipend will not cost the taxpayer anything today or in the future. Mr. Kazmark is asking for the Board of Health to make the bylaws and the salary ordinance consistent with each other by removing the word stipend from the bylaws. If the Board chooses to make the change, he can then make contact with State Pensions and clarify the type of compensation the employees are receiving. Mr. Kazmark further stated that if the Board chooses not to make the changes to the bylaws and in

April 16, 2018

turn having their employees treated differently than other Borough employees are treated, he wonders if the employees would have legal recourse. He discussed how past practices in government are often referred to. Mrs. Cole suggested some reorganizing of the different positions, stating there is a deficiency with the Deputy Clerk position within the Municipal Clerk's office because of the other positions being held by the employee. Mr. Kazmark stated that a deficiency does not exist and that the Health Department being run out of the Clerk's office is running very efficiently. A motion was made by Board Member Morello and seconded by Board Member Ingui to close the public portion. Motion carried by the members present.

2 – Annual Review of Board of Health By-Laws – President McCauley stated at this time the re-adoption of the bylaws cannot be passed by resolution due to the 30 days review period stipulated within the bylaws. Discussion ensued as to the removal of the word stipend from the bylaws. A meeting of the bylaw committee along with the President and Board Secretary to review the amendments will be scheduled prior to the May 14, 2018 meeting.

3 – HEALTH INSPECTION REPORT:

- a. **Monthly Status Report** – REHS Inspector Delyannis reported on some of the outstanding inspections for the month of December and answered questions posed by the Board.

4 – 2018/2019 License Renewal Letters – Renewal letters for all establishments that are required to be licensed will be sent out on May 1, 2018.

5 – UPCOMING EVENTS:

- a. **Bergen County Animal Control Forum** – Discussion ensued as to the advertisement of the forum. The event will be advertised further through the website and facebook page.
- b. **2018 Community Day** – The shelter bus has been scheduled to attend the event as well as an employee from the County to have the prize wheel and other handouts. Discussion ensued as to the handouts by the Board.
- c. **2018 Flu Clinics** – Discussion ensued as to this year's flu clinics. The Board decided to hold 1 clinic at night in the municipal building. Mrs. Dispoto will reach out to the County to schedule the clinic.

6 – EXECUTIVE SESSION:

- a. **Personnel**

WHEREAS, the Open Public Meetings Act P.L. 1975, Chapter 231 permits the exclusion of the public from a meeting in certain circumstances; and

WHEREAS, this public body is of the opinion that such circumstances presently exist; and

WHEREAS, the Governing Body wishes to discuss:

April 16, 2018

Personnel

Minutes will be kept and once the matter involving the confidentiality of the above no longer requires that confidentiality, then the minutes can be made public.

NOW THEREFORE BE IT RESOLVED, that the public be excluded from this meeting.

A motion was made by Board Member Ingui and seconded by Board Member Proctor to enter into Executive Session. Motion carried by the members present.

Personnel

A motion was made by Board Member Ingui and seconded by Board Member Proctor to return to the public portion. Motion carried by the members present. The public portion resumed at 8:35 p.m.

7 – ORDINANCES:

a. 2018 Salary Ordinance

A motion was made by Board Member Levine and seconded by Board Member Morello to open the floor for public comment. Motion carried by the members present. No one wished to be heard. A motion was made by Board Member Morello and seconded by President McCauley to close the public portion. Motion carried by the members present.

**BOROUGH OF ELMWOOD PARK
DEPARTMENT OF HEALTH
RESOLUTION R-05-18**

**RESOLUTION BY: BOARD MEMBER LEVINE
SECONDED BY: BOARD MEMBER PROCTOR**

**INTRODUCE ORDINANCE #2018-01
SECOND READING**

WHEREAS, a public notice has been given by the Board Secretary that an ordinance entitled:

AN ORDINANCE ENTITLED “AN ORDINANCE TO FIX THE SALARY, WAGE AND COMPENSATION OF THE EMPLOYEES OF THE BOARD OF HEALTH OF THE BOROUGH OF ELMWOOD PARK, COUNTY OF BERGEN, STATE OF NEW JERSEY”.

and;

WHEREAS, said ordinance was introduced and passed at a meeting held on Monday, March 12, 2018 and that further consideration of this ordinance would be taken up at this meeting; and

April 16, 2018

WHEREAS, all persons interested in said ordinance were given an opportunity to be heard concerning same;

NOW THEREFORE BE IT RESOLVED, by the Elmwood Park Board of Health, that an ordinance entitled:

AN ORDINANCE ENTITLED "AN ORDINANCE TO FIX THE SALARY, WAGE AND COMPENSATION OF THE EMPLOYEES OF THE BOARD OF HEALTH OF THE BOROUGH OF ELMWOOD PARK, COUNTY OF BERGEN, STATE OF NEW JERSEY".

pass on final reading.

Approved: April 16, 2018

Julie McCauley
Julie McCauley, President

ATTEST:

Barbara L. Dispoto
Barbara L. Dispoto
Board Secretary

Record of Board of Health Vote on Passage

	AYE	NAY	Abstain	Absent		AYE	NAY	Abstain	Absent
DeMarzio	X				Proctor	X			
Ingui	X				Spinelli				X
Levine	X				McCauley	X			
Morello	X								

This resolution was approved by the Board of Health of the Borough of Elmwood Park at a Regular scheduled meeting held on the 16th day of April 2018. Signed and sealed before me.

Barbara L. Dispoto
Board of Health Secretary

Dated

**BOROUGH OF ELMWOOD PARK
BOARD OF HEALTH
ORDINANCE #2018-01**

AN ORDINANCE ENTITLED "AN ORDINANCE TO FIX THE SALARY, WAGE AND COMPENSATION OF THE EMPLOYEES OF THE BOARD OF HEALTH OF THE BOROUGH OF ELMWOOD PARK, COUNTY OF BERGEN, STATE OF NEW JERSEY".

April 16, 2018

BE IT ORDAINED, by the Board of Health of the Borough of Elmwood Park as follows:

BOARD OF HEALTH SECRETARY	\$7,428.45
REGISTRAR	2,208.16
DEPUTY REGISTRAR	1,407.98

Effective Date: **March 1, 2018**

SECTION X: REPEAL OF PRIOR ORDINANCES

1. All prior Salary Ordinances or parts of Ordinances inconsistent herewith are hereby repealed.

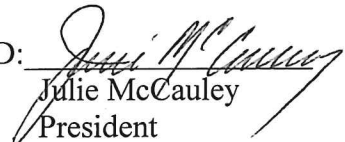
SECTION XI: EFFECTIVE DATE

1. This ordinance shall take effect immediately after publication.

ATTEST:


Barbara L. Dispoto
Board Secretary

APPROVED:


Julie McCauley
President

Introduced: March 12, 2018

Adopted: April 16, 2018

b. Fee Schedule

A motion was made by Board Member Levine and seconded by President McCauley to open the floor for public comment. Motion carried by the members present. No one wished to be heard. A motion was made by Board Member Proctor and seconded by Board Member Ingui to close the public portion. Motion carried by the members present.

**BOROUGH OF ELMWOOD PARK
DEPARTMENT OF HEALTH
RESOLUTION R-06-18**

RESOLUTION BY: BOARD MEMBER MORELLO

SECONDED BY: BOARD PRESIDENT MC CAULEY

**INTRODUCE ORDINANCE #2017-02
SECOND READING**

April 16, 2018

WHEREAS, a public notice has been given by the Board Secretary that an ordinance entitled:

AN ORDINANCE TO AMEND THE CURRENT BOARD OF HEALTH FEE SCHEDULE FOR THE BOROUGH OF ELMWOOD PARK;

and;

WHEREAS, said ordinance was introduced and passed at a meeting held on Monday, March 12, 2018 and that further consideration of this ordinance would be taken up at this meeting; and

WHEREAS, all persons interested in said ordinance were given an opportunity to be heard concerning same;

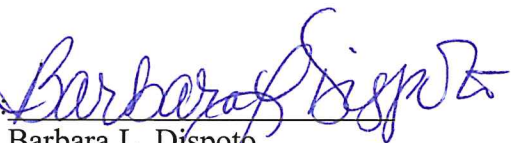
NOW THEREFORE BE IT RESOLVED, by the Elmwood Park Board of Health, that an ordinance entitled:

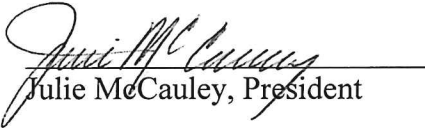
AN ORDINANCE TO AMEND THE CURRENT BOARD OF HEALTH FEE SCHEDULE FOR THE BOROUGH OF ELMWOOD PARK;

pass on final reading.

Approved: April 16, 2018

ATTEST:


Barbara L. Dispoto
Board Secretary


Julie McCauley, President

Record of Board of Health Vote on Passage

	AYE	NAY	Abstain	Absent		AYE	NAY	Abstain	Absent
DeMarzio	X				Proctor	X			
Ingui	X				Spinelli				X
Levine	X				McCauley	X			
Morello	X								

This resolution was approved by the Board of Health of the Borough of Elmwood Park at a Regular scheduled meeting held on the 16th day of April 2018. Signed and sealed before me.

Barbara L. Dispoto
Board of Health Secretary

Dated

April 16, 2018

**Elmwood Park Board of Health
Board of Health Ordinance 2018-02**

AN ORDINANCE TO AMEND THE CURRENT BOARD OF HEALTH FEE SCHEDULE FOR THE BOROUGH OF ELMWOOD PARK;

A. It shall be unlawful for any person or any corporate body to conduct a retail food establishment as defined in and governed by Chapter 24 of the New Jersey State Sanitary Code, without first having procured an annual license from the Local Board of Health to do so and without complying with any or all of the provisions concerning operation and maintenance of the same as contained in the aforementioned Chapter 24 of the State Sanitary Code. A license shall be obtained from the Health Department by every person who shall conduct, operate, or maintained within the Borough any fixed or mobile food establishment.

B. Fees

The annual fee for retail food establishments is hereby fixed as follows:

1) Restaurants:	
<u>Seating Capacity</u>	<u>Annual Fee</u>
50 seats and under	\$250
51-100 seats	\$300
101-200 seats	\$400
201 seats and more	\$550
2) Open 24 hours (with or without seats)	\$800
3) Supermarkets, Mini-Markets, Convenience Stores	
a. Less than 7500 square feet	\$400
b. 7501 square feet and greater	\$800
4) Non-profit establishments, such as VFW, etc.	\$1.00
5) Food Manufacturer Wholesale Only	\$800
6) Temporary Events – Itinerant	
a. 1-7 day events (Town Vendors)	\$25 per vendor
b. 1-7 day events (Out of Town Vendors)	\$50 per vendor
c. Non-profit organization at special events	Waived
7) Mobile vendors	
Pre-packaged food only; including ice cream trucks	\$325
8) Milk delivery trucks	\$50

The annual fee for the above items 1 through 8 are due July 1st of the current year, a 15 day grace period will be granted. Any person who fails to pay the required fee by July 15th will be assessed a late penalty of \$50. Failure to pay the required fee and late penalty by July 31st will be in violation of this ordinance and will be punishable by a penalty of \$1,000 for every day thereafter.

April 16, 2018

- 9) Re-inspection Fee
If rated Conditionally Satisfactory twice in a calendar year 50% of license fee
- 10) No transfer of license
If a license is transferred to a new owner, the fee will be the cost of the license, plus the cost of an annual new license fee.
- 11) Review of plans for new or altered business \$275

The annual fee for non-food businesses and other licenses and permits is hereby fixed as follows:

- 1) Cosmetology \$175
- 2) Pools and spas for public use \$300
- 3) Pet shops and kennels \$25
- 4) Child/Adult Daycare \$265

The annual fee for the above items 1 through 3 are due July 1st of the current year, a 15 day grace period will be granted. Any person who fails to pay the required fee by July 15th will be assessed a late penalty of \$50. Failure to pay the required fee and late penalty by July 31st will be in violation of this ordinance and will be punishable by a penalty of \$1,000 for every day thereafter.

- 5) Certified copy of a Vital Statistic record of birth, death, or marriage
 - a. One copy \$15
 - b. Each additional copy \$10
- 6) Pet licenses for dogs or cats
 - a. Neutered \$10
 - b. Non-neutered \$13

The annual fee for item 5 is due January 31st of the current year. Failure to pay the required fee by January 31st will be assessed a late penalty of \$20.

ATTEST: 
Barbara L. Dispoto
Board Secretary

APPROVED: 
Julie McCauley
President

Introduced: March 12, 2018
Adopted: April 16, 2018

April 16, 2018

8 – DEPARTMENTAL REPORTS:

- a. **Bills** – A motion was made by Board Member Proctor and seconded by Board Member Morello to approve the payment of bills. There was no objection, motion carried by the members present.
- b. **Office Department Report – March 2018**
- c. **Vital Statistics Report – March 2018**
- d. **Office Revenue Report – March 2018**
- e. **March 12, 2018 Regular Meeting minutes**

A motion was made by Board member Ingui and seconded by Board Member Proctor to approve and file the reports for item 8b through 8e. There was no objection, motion carried by the members present.

9 – COMMITTEE REPORTS:

By Law Committee had no report at this time.

Finance Committee had no report at this time.

Ordinance Committee had no report at this time.

Personnel Committee had no report at this time.

Public Relations Committee had no report at this time.

A motion was made by Board Member Proctor and seconded by Board Member Morello to adjourn. Motion carried by the members present.

Respectfully submitted,



Barbara L. Dispoto, RMC/CMR
Board Secretary