

County of Passaic

Board of County Commissioners



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 Deputy Director Cassandra "Sandi" Lazzara
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401 Grand Street
Paterson, New Jersey 07505
Tel: 973-881-4402
Fax: 973-742-3746

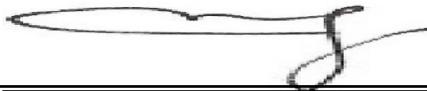
Matthew P. Jordan, Esq.
 Administrator
 Nadege D. Allwaters, Esq.
 County Counsel
 Louis E. Imhof, RMC
 Clerk Of The Board

Date: Feb 13, 2024 - 5:30 PM

Agenda: RESOLUTION AUTHORIZING A SHARED SERVICE AGREEMENT BETWEEN THE COUNTY OF PASSAIC AND THE BOROUGH OF WANAQUE TO PROVIDE NURSING SERVICES IN ADDITION TO PUBLIC HEALTH SERVICES TO THE BOROUGH, PURSUANT TO N.J.S.A. 40A:65-1, ET SEQ.

THIS RESOLUTION WAS REQUESTED BY:
 HEALTH

REVIEWED BY:



Matthew P. Jordan, Esq.

APPROVED AS TO FORM AND LEGALITY:



Nadege D. Allwaters, Esq.

Official Resolution#	
Meeting Date	2/13/2024
Introduced Date	2/7/2024
Adopted Date	
Agenda Item	25.
CAF#	
Purchase Req. #	
Result	

Health and Human Services

COMMITTEE NAME

RESOLUTION AUTHORIZING A SHARED SERVICE AGREEMENT BETWEEN THE COUNTY OF PASSAIC AND THE BOROUGH OF WANAQUE TO PROVIDE NURSING SERVICES IN ADDITION TO PUBLIC HEALTH SERVICES TO THE BOROUGH, PURSUANT TO N.J.S.A. 40A:65-1, ET SEQ.

WHEREAS, the County of Passaic (the “County”) is a body politic and corporate, pursuant to N.J.S.A. 40:18-1, et seq. and vested with all rights contained therein; and

WHEREAS, pursuant to N.J.S.A. 40:20-1 the Board of County Commissioners for the County of Passaic (hereinafter the “Board”) is vested with managing the property, finances, and affairs of the County; and

WHEREAS, the Department of Health Services (hereafter “Department”) is responsible for protecting and promoting the health of approximately 510,000 residents of the County; and

WHEREAS, the Uniform Shared Services and Consolidation Act N.J.S.A. 40A:65-1, et seq., authorizes the County to enter into an agreement with any other local unit or units to provide or receive any service that each unit participating in the agreement is empowered to provide or receive within its own jurisdiction; and

WHEREAS, on December 27, 2018, the Board passed Resolution R20181064 authorizing a Shared Services Agreement between the County of Passaic and the Borough of Wanaque for public health services (hereafter “Agreement”), for a term commencing January 1, 2019, through December 31, 2023, with two (2) one-year options to renew; and

WHEREAS, pursuant to R20221125, dated December 13, 2022, the Board authorized an amendment to the Agreement to provide additional nursing services; and

WHEREAS, the Department has now requested a resolution authorizing a Shared Services Agreement by and between the County of Passaic and the Borough of Wanaque for the provision of health and nursing services for the period of January 1, 2024 to December 31, 2033, for the following rates: year (1) 2024 - \$121,317.05; year (2) 2025 - \$124,349.98; year (3) 2026 - \$127,458.73; year (4) 2027 - \$130,645.20; year (5) 2028 - \$133,911.33; year (6) 2029 - \$137,259.11; year (7) 2030 - \$140,690.59; year (8) 2031 - \$144,207.85; year (9) 2032 - \$147,813.05; year (10) 2033 - \$151,508.37

WHEREAS, this matter was discussed at the February 6, 2024, meeting of the Health and Human Services Committee and is being recommended to the Board for approval; and

NOW, THEREFORE, LET IT BE RESOLVED, pursuant to N.J.S.A. 40A:65-1 et seq., the Board of County Commissioners of the County of Passaic (hereafter “Board”) hereby authorizes a Shared Services Agreement by and between the County of Passaic and the Borough of Wanaque for provisions of health and nursing services for the period of January 1, 2024, to December 31, 2033; and

LET IT BE FURTHER RESOLVED, that pursuant to N.J.S.A. 40A:65-(b) a copy of the Shared Services Agreement shall be filed, for information purposes, with the Division of Local Government Services; and

LET IT BE FURTHER RESOLVED, that the Clerk to the Board, County Counsel and Director of the Board are authorized to take other actions necessary to carry out the purpose of this Resolution.

THIS AGREEMENT, made on this 5th day of April, 2024
between the:

County of Passaic (hereafter "County") with its principal place of business at 401 Grand Street, Paterson, New Jersey 07505; and

Borough of Wanaque (hereafter "Borough" or "Wanaque") with its principal place of business at 579 Ringwood Avenue, Wanaque, New Jersey 07465;

WITNESSETH:

WHEREAS, N.J.S.A. 40A:65-1, et seq., also known as the Uniform Shared Services and Consolidation Act (hereafter "Act") promotes the broad use of shared services to reduce local expenses funded by property taxpayers; and

WHEREAS, the Borough desires to contract with the County for the furnishing of health and nursing services as set forth herein;

NOW, THEREFORE, for and in consideration of the mutual terms herein, the County and Borough agree as follows:

1. **Schedule of Services and Fees.**

- A. **Administration of Public Health Activities:** Provision of a licensed Health Officer who shall: ensure compliance with N.J.A.C. 8:52, Public Health Practice Standards of Performance for Local Boards of Health in New Jersey; enforce state and local public health regulations; supervise and manage public health personnel; complete annual reports or other documents as authorized and required by the NJ Department of Health; prepare and exercise plans relative to public health emergencies; provide guidance to the Board of Health, and assist with review of any proposed local public health ordinances. The Health Officer or his/her designee shall attend Board of Health meetings, attend any required state public health conferences or meetings, and attend the Governmental Public Health Partnership meetings.
- B. **Health Education & Promotion:** Provision of a certified Health Educator to plan, implement, and evaluate health education programs and/or interventions at various venues in accordance with N.J.A.C. 8:52, Public Health Practice Standards of Performance for Local Boards of Health in New Jersey in areas such as: alcohol and drug abuse control; smoking prevention and cessation; nutrition; injury control; physical

fitness and exercise; emergency preparedness; chronic disease (diabetes, cardiovascular, cancer); communicable disease control.

C. Environmental Health: Provision of a licensed Registered Environmental Health Specialist for enforcement of state and local public health regulations relative to:

1. Food Surveillance: Comprehensive surveillance program of retail food establishments and food/beverage vending machines in accordance with the State Sanitary Code (N.J.A.C. 8:24) and local ordinances governing the same. Specifically, services to be provided include; inspection of retail food establishments (includes institutions providing food services) at least twice per year; review and approval of plans for new food establishments or alterations to existing food establishments; inspection of vending machines dispensing potentially hazardous food at least once per year; investigation of complaints at local food establishments; initiation of enforcement action as needed; collection of food samples as required by the NJ Department of Health; condemnation or embargoing of adulterated or unwholesome food; assistance with investigation of foodborne illness or outbreaks as required.
2. Youth Camps: Performance of annual pre-operational and follow-up inspections of youth camps for compliance with the State Sanitary Code (N.J.A.C. 8:25).
3. Campgrounds: Performance of annual inspections and follow-up inspections in accordance with the State Sanitary Code (N.J.A.C. 8:22). Includes initiation of enforcement action as needed and complaint investigations at regulated campgrounds.
4. Recreational Bathing: Performance of inspections, follow-up inspections, and complaint investigations at regulated recreational bathing facilities including swimming pools, lakes, spas, and whirlpools in accordance with the State Sanitary Code (N.J.A.C. 8:26). Inspection at such facilities shall

be at least twice during the facility's operating season. Follow-up inspections shall be performed when deficiencies are found and enforcement action shall be initiated as needed.

5. Body Art Establishments: Performance of annual inspections and follow up inspections of body art establishments in accordance with the State Sanitary Code (N.J.A.C. 8:27). Includes initiation of enforcement action as needed and complaint investigations at regulated body art establishments.
6. Tanning Facilities: Performance of annual inspections and follow-up inspections of tanning facilities in accordance with the State Sanitary Code (N.J.A.C. 8:28). Includes initiation of enforcement action as needed and complaint investigations at regulated tanning facilities.
7. Individual Subsurface Sewage Disposal Systems: Performance of site visits, plan reviews, inspections, complaint investigations, and enforcement actions in accordance with N.J.A.C. 7:9A, Standards for Individuals Subsurface Sewage Disposal Systems.
8. Childhood Lead Poisoning Lead Hazard Investigations: Performance of assessments, inspections, review of abatement plans, and enforcement actions related to cases of childhood lead poisoning in accordance with N.J.A.C. 5:17 and N.J.A.C. 8:51
9. Public Health Nuisances: Performance of public health nuisance complaint investigations as authorized by state statute, local ordinance, or regulation.
10. Rabies & Zoonotic Disease Control: Performance of inspections, follow-up inspections, and complaint investigations at regulated pet shops, shelters, and kennels in accordance with the State Sanitary Code (N.J.A.C.

8:23 and 8:23A). At least one inspection of such facilities will be performed annually.

11. Food Handling Education: Provision of one food handling training in English and one food handling training in Spanish to food establishments staff at least once per year. Training will be provided in the Borough of Wanaque contingent on available space or at the Passaic County Department of Health Services, 930 Riverview Drive, Suite 250, Totowa or 11 Edgar Drive, West Milford. Training may be open at the Provider's discretion to other municipalities contingent on available space.
12. Inspections Required By Local Ordinance: Performance of the following inspections required by local ordinance: laundries, dry-cleaning establishments, social clubs, and massage parlors.
13. Emergency Response: Performance of emergency responses associated with emergency occurrences at retail food establishments in accordance with the State Sanitary Code (N.J.A.C. 8:24).

D. Public Health Nursing Supervision: Provision of a licensed Public Health Nurse Supervisor who shall supervise the activities of all public health nurses for the performance of core public health functions and the delivery of the "10 essential public health services" at N.J.A.C. 8:52 — 3.2(a) 1 through 10.

1. Public Health Nursing: Provision of public health nurses in accordance with N.J.A.C. 8:52, Public Health Standards of Performance for Local boards of Health in New Jersey, Appendix, Programmatic Guidelines for Best Practices, Public Health Nursing coverage as indicated in appendices 2, 3, 4, and 5. The Public Health Nurse will be on site in the Borough of Wanaque for all or portions of three (3) days per week, at a mutually agreeable time between the County and the Borough. The Public Health Nurse hours can be adjusted based on the needs of the Borough.

2. Communicable Disease Activities: Provision and implementation of a surveillance, investigation, and control of reportable diseases program.

Promotion and provision of childhood vaccine preventable diseases.

Providing technical expertise through the county Epidemiologist.

3. Maternal and Child Health Program:

i. Provision of child health conferences for comprehensive preventive health care of infants and preschool children at Wanaque Municipal Building, if available or at 930 Riverview Dr., Suite 250, Totowa or at 11 Edgar Pl, West Milford, particularly emphasizing the medically indigent in accordance with N.J.A.C. 8:52.

ii. Childhood Lead Poisoning Lead Hazard Investigations: Performance of assessments, inspections, review of abatement plans, and enforcement actions related to cases of childhood lead poisoning in accordance with N.J.A.C. 5:17 and N.J.A.C. 8:51.

E. Public Health Nursing, Communicable Disease, & Adult Health Services: Provision of public health nursing coverage supervision in accordance with the N.J.A.C. 8:52, Public Health Practice Standards of Performance for Local Boards of Health in New Jersey, Appendix- Programmatic Guidelines for Best Practices, Public Health Nursing, Provision of public health nursing coverage as indicated in Appendixes 2, 3, 4 and 5.

F. Public Health Emergency Response & Preparedness: Provision and implementation of public health emergency preparedness plans relative to mass immunization/medication clinics, quarantine, bioterrorism, other hazards, and is indicated in the Recipient's emergency management plans. The Borough of Wanaque agrees to provide the necessary staff, including Borough employees and/or volunteers, to assist in developing and implementing the plans referenced in this section. In addition, the Borough of Wanaque agrees to participate in drills, exercises and other preparedness activities coordinated by

Passaic County Department of Health Services. The Borough of Wanaque agrees to provide Passaic County Department of Health Services with a list of employees who will be on call 24/7/365 in the event of a Chemical, Biological, radiological, nuclear, environmental (CBRNE) incident.

G. Occupational Health Services: Provision of occupational health program in compliance with Public Health Practice Standards of Performance, Appendix Section 1.

H. Cost: Administrative oversight and provision of these services from January 1, 2024 — December 31, 2034, will be as follows:

YEAR	ANNUAL FEE	INCREASE
2024	\$121,317.05	2.5%
2025	\$124,349.98	2.5%
2026	\$127,458.73	2.5%
2027	\$130,645.20	2.5%
2028	\$133,911.33	2.5%
2029	\$137,259.11	2.5%
2030	\$140,690.59	2.5%
2031	\$144,207.85	2.5%
2032	\$147,813.05	2.5%
2033	\$151,508.37	2.5%

I. Exclusions: Wanaque shall continue to provide the following personnel and services:

- Animal Control Services
- Medical Director
- Board of Health Clerk.

2. **Payments.** Payments from the Borough to the County shall be made on a quarterly basis in the following manner: January 15; May 15; September 15; and December 15 of each year of the agreement.

3. **Designation of Health Officer.** The Borough will designate the Health Officer of the County as its Municipal Health Officer. By contracting with the County, the Borough is appointing the County as its Public Health Agency as required by the Public Health Practice Standards of Performance for Local Boards of Health in New Jersey pursuant to N.J.A.C. 8:52.

4. **Enforcement.** The County Health Officer shall be the enforcement agent of the Borough for the Sanitary Laws for the State of New Jersey and for Ordinances adopted by the Borough. The Health Officer shall be available to review proposed Ordinances by the Borough prior to their effective date and within the scope and purview of the Health Officer's license.

5. **Required Court Appearances.** The County shall provide the appropriate personnel to appear in the appropriate court of jurisdiction to prosecute any violations of the public health laws of the Borough, County, and State of New Jersey, as set forth herein.

6. **Supervision.** The Health Officer of the County shall direct and supervise all public health activities and employees engaged in public health activities of the Borough pursuant to N.J.A.C. 8:52.

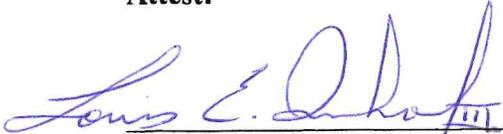
7. **Public Health Staff.** Any employee of the Borough tasked with public health related duties are required to inform the County in a timely fashion of all emergencies, including but not limited to the spread of communicable diseases or natural disasters, to the Health Officer of the County or his/her designee.

8. **Hold Harmless.** The Borough shall defend, indemnify, protect and hold harmless the County, its officers, agents, servants, and employees from and against any and all suits, claims, demands or damages of any kind or nature, arising out of, or claimed to arise out of, any act, error, or omission of the Borough, its consultants, contractors, agents, servants and employees, including, but not limited to, expenditures for investigation, legal defense and/or judgment. Any health related function or activity not within the scope of the Health Officer license shall be the

sole responsibility of the Borough and the Borough shall indemnify and hold harmless the County from any such activity.

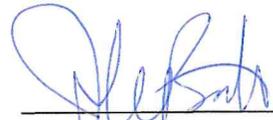
IN WITNESS WHEREOF, the County and Borough have caused this Agreement to be signed, pursuant to the duly adopted resolutions of their governing bodies, passed for that purpose.

Attest:



LOUIS E. IMHOF III, Clerk
Passaic County Board of County
Commissioners

COUNTY OF PASSAIC



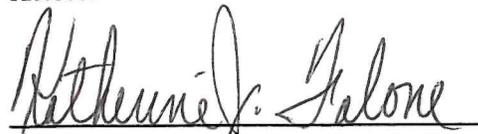
JOHN BARTLETT, Director
Passaic County Board of County
Commissioners

As to form and legality:



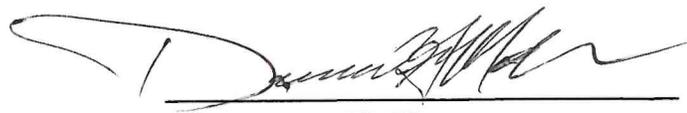
NADEGE D. ALLWATERS, Esq.
Passaic County Counsel

Attest:



KATHERINE J. FALONE, RMC, CMC
Municipal Clerk
3/11/2024

BOROUGH OF WANAQUE



DANIEL MAHLER
Mayor, Borough of Wanaque