

**PROPOSED BY-LAWS OF THE BOARD OF
HEALTH OF THE BOROUGH OF GLEN ROCK**

SUGGESTED ORDER:

§ 1 ORGANIZATION:

- a. Establishment by Borough code
- b. Mission
- c. Public meetings + notices subject to Open Public Meetings Act (OPMA)
- d. Communications subject to Open Public Records Act (OPRA)

§ 2 MEMBERSHIP:

- a. Appointments & Term of Office
- b. Voting for President/ VP/Secretary
- c. Meeting Attendance
- d. Officers: (describe roles and responsibilities of officers)
 - i. President
 - ii. Vice President
 - iii. Temporary Chairperson
 - iv. Recording Secretary
 - v. Corresponding Secretary
- e. removal of a member

§ 3 MEETINGS:

- a. Parliamentary Procedure
- b. quorum
- c. subcommittees
- d. Regular Monthly Meeting
- e. Annual Reorganization Meeting
- f. Special Meetings
- g. Order of Business for meetings
- h. Voting

§ 4 POWER AND DUTIES

§ 1: Organization

a. The Glen Rock Board of Health (GR BOH) is established by provision of Title 26 of the Revised Statutes of the State of New Jersey, and Borough of Glen Rock Code Part I, Article XXI § 4-70, 71, and exercising the powers and authority and assuming the responsibilities delegated to it under the said statutes.

b. Mission:

The Glen Rock Board of Health is responsible for promoting and protecting the health of the residents of Glen Rock. The GR BOH is tasked with developing and implementing public health policy in the Borough. Some public health issues that would be included in these responsibilities include: tobacco control; restaurant inspections; environmental issues; infectious disease follow-up; public health preparedness; health education; mental health programs; child health clinics; health consultation programs; and rabies and animal control issues.

c. All meetings of the Board of Health shall be publicized and run in accordance with NJ state regulations and the Open Public Meetings Act. Record keeping of the meeting shall be in accordance with appropriate regulations including the Open Public Meetings Act. Where applicable reports and other documents being approved by the board will be available for public inspection in accordance with applicable NJ regulations including the Open Public Meetings Act.

d. When required by law all communication to and from the board as well as applicable communication between board members on BOH matters shall be subject to OPRA.

§ 2: Membership:

a. Appointment and Terms of Office

Membership is defined in Glen Rock Code Part I, Article XXI § 4-70

§ 4-70 **Board established.**

[Amended 1-28-2004 by Ord. No. 1459]

A. Composition of Board.

There shall be a Board of Health in the Borough which shall consist of seven members. The members of the Board of Health shall be appointed by the Mayor with the advice and consent of the Borough Council. Members shall be appointed for terms of three years. At least one member of the Board shall be either a licensed New Jersey physician or a school nurse. The members of the Board of Health shall be residents of the Borough, unless the appointment is a school nurse or the Borough physician to the Board of Health. Appointments to fill vacancies shall be made in the same manner as original appointments, and all such appointments shall be for the unexpired term only.

B. Alternate members.

There shall also be appointed two alternate members of the Board, appointed by the Mayor with the advice and consent of the Council. The alternate members shall be

designated as "Alternate No. 1" and "Alternate No. 2," respectively, and each alternate shall retain said designation during the term of which he/she/they was appointed. During the absence of any regular member, the Chairperson shall appoint one of the alternate members to serve in the place of the regular member. Alternate members may participate in discussions of the proceedings, but may not vote except in the absence or disqualification of a regular member. A vote shall not be delayed in order that a regular member may vote instead of an alternate member. Alternate member 1 shall be selected first to replace an absent regular member followed by Alternate member 2 if necessary.

C. Terms of alternate members.

The appointment of each alternate member shall be for a term of two years, except that of the members first appointed shall be two years for Alternate No. 1 and one year for Alternate No. 2, so that the term of not more than one alternate member shall expire in any one year. A vacancy occurring other than by expiration of a term shall be filled for the unexpired term only.

b. Officers

The Board of Health shall elect from its members a President and a Vice-President, and a recording Secretary.

c. Meeting attendance

a. Members must attend all monthly meetings

- i. In the event a member misses two consecutive meetings, without a legitimate reason, the Board shall notify the member by written letter. If a third consecutive meeting is missed, the Board will seek to remove the member and request, in writing, the appointing authority (the Borough) to appoint a new member
- ii. In the event that a member misses a majority of meetings in a calendar year, the Board shall notify the member by written letter. If the member does not attend the next consecutive meeting, the Board will dismiss the member and request, in writing, the appointing authority, the Borough, to appoint a new member.
- iii. Alternates vote only in the absence of a member, and in the order of alternates Alternate 1 shall vote first.

d. The Board of Health shall have a President, Vice President, a recording secretary, and a corresponding secretary. In the event the President and Vice President are not present at a meeting, a Temporary Chairperson will be designated as detailed below.

i. Duties of Officers.

Duties of the President. The president shall be the chief executive officer of the GR BOH and shall preside at all meetings of the Board and shall appoint all committees and have all other such powers as may, by law, be vested in him/her/them. During the intervals between regular meetings, the president shall represent the GR BOH in

all executive judicial matters. He/She/They shall have the power to appoint at the annual meeting or immediately thereafter any and all committees deemed essential to the proper function of the GR BOH in promoting the health and welfare of the community. Committee membership may be changed upon agreement between the president and the members concerned. In addition, he/she/they may, with the advice and consent of the Board, appoint such other officers and committees as may from time to time be required.

ii. Duties of the Vice-president.

The vice-president, in the absence, inability, or temporary disqualification of the president, shall preside at meetings of the Board in place of the president and with his/her/their powers and duties. In case of death, resignation or disability, or permanent disqualification by the GR BOH of the president, the vice-president shall assume the office of the president and become vested with all his/her/their powers and duties until the next reorganization meeting of the Board. In such an event, the office of vice president shall be declared vacant and the majority of the then constituted Board shall elect a vice-president at its next regular meeting.

iii. Duties of the Temporary Chairperson.

Whenever a duly constituted meeting of the GR BOH is called into session or is about to be called into session and the president and vice president are absent, the recording secretary will temporarily assume the chair to call for the designation of a temporary chairperson from among the members to preside at the meeting or that part of the meeting during which neither the president nor vice-president are in attendance, who shall be selected by majority vote.

iv. Duties of the Recording Secretary.

The Recording Secretary shall keep the minutes of all the proceedings of the GR BOH, and after approval by the BOH, shall send same to the designated borough employee so the minute can be made available in compliance with the Open Public Records Act.

v. Duties of the Corresponding Secretary.

The Corresponding Secretary shall conduct all official correspondence of the Board, shall coordinate maintenance of proper copies of the same, tabulation and completion of reports required by any local, state or national authority, and make such other reports as may be required or directed by the Board. He/She/They shall procure all books, stationery and other supplies which may be required by the GR BOH and keep a record of all applications for permits and licenses. In case of the refusal of any permit or license, the date of application and the action of the Board, if any thereon, and all such other pertinent information as may be necessary for a complete record of each such application shall be maintained. The corresponding secretary shall forward a copy of the minutes for each said meeting 7 days prior to the next regular meeting to all members of the GR BOH and to the Borough designee in charge of public information for posting. The corresponding secretary

shall provide to each new member of the Board a copy of bylaws and amendments thereto.

e. Removal of a Board of Health Member

A member of the GR BOH may be removed for reason of his/her/their absence without good cause for three consecutive monthly meetings, as detailed earlier. A member of GR BOH may be removed for good cause which includes (but is not limited to): a conflict of interest that precludes the ability to perform the duties of GR BOH, unethical or illegal behavior, or if a member becomes obtrusive to the functioning of GR BOH. Such removal shall take effect after a hearing before the Board and upon a majority vote of the Board. Notice of such hearing must be given, within seven days of the regular meeting of the Board, to all the members. Said action must be taken no later than the second regular meeting attended by the member after he/she/they have been absent for three consecutive meetings in matters. Said notice is to be given by the recording secretary upon the request of the Board after a member has been absent for three consecutive regular meetings. The Board shall hear evidence and determine at the hearing whether the absence of the member was for good cause.

Said notice shall be given immediately in the event of a “good cause” conflict. If the Board Member’s “good cause” conflict is pending other action (including but not limited to: court cases or actions by licensing boards in which a board member is a defendant), the Board Member shall take a Leave of Absence for the duration of the case or the remainder of their appointed term (whichever is shorter), and an Alternate Member shall take the seat for the duration of the Leave of Absence. Upon removal of a member, the recording secretary of the Board shall immediately notify the Mayor and Council that a vacancy exists on the GR BOH and advise the Mayor and Council of the length of the unexpired term.

§ 3 Meetings

a. Parliamentary Procedure

Roberts Rules of Order shall be the parliamentary authority for all matters of procedure not covered by law or these bylaws.

b. Four members of the Board shall constitute a quorum for the transaction of business, and a smaller number of less than four may meet and adjourn from time to time, however, no action can be taken in that instance. In the absence of a regular member, an alternate member, shall count as a member for quorum and shall be able to vote on matters before the board.

c. Subcommittees can be established by the President in order to address specific needs of the Board and can be empowered to perform specific functions, so long as permissible by local and state law.

d. Regular meetings of the Board of Health shall be held each and every month on the fourth Tuesday, in Borough Hall office or such other place as is designated by the Board and or such time and on such dates as may be decided upon at the organizational

meeting. An agenda and applicable documents shall be available to the public 7 days prior to the meeting.

e. An annual reorganization meeting shall occur in January of each year, after municipal council reorganization meeting occurs. At the reorganization meeting the members of the board will select a President, Vice President, and Recording Secretary.

f. The president shall have the power to call special meetings of the Board when necessary; and, in case of his/her/their inability or refusal to do so, it shall be lawful for the vice president, or four members of the GR BOH, to call a special meeting, which notice of said special meeting shall be given by the recording secretary, in writing, to each member 48 hours prior to the time of said meeting, and said notice shall state the purpose of the special meeting and location shall be published in accordance with Open Public Meetings act and other applicable laws.

g. All meetings of the Board of Health shall be publicized and run in accordance with NJ state regulations and the Open Public Meetings Act. Record keeping of the meeting shall be in accordance with appropriate regulations including the Open Public Meetings Act. Where applicable reports and other documents being approved by the board will be available for public inspection in accordance with applicable NJ regulations including the Open Public Meetings Act.

The order of business at the regular monthly meeting shall be as follows:

- (1) Acknowledgement of meeting requirements under the Open Public Meetings Act
- (2) Roll call
- (3) Approval of minutes of the previous meeting
- (4) Reading and acceptances of reports from:
 - (a) Registered Environmental Health Specialist (REHS) Report
 - (b) Public Health Nurse
 - (c) Health Officer
 - (d) Secretary/Registrar
- (5) Old business including Committee Updates
- (6) New business
- (7) Public Comments including reading of written communications/correspondence
- (8) Approval of application, licenses, bills, ordinances, etc.
- (9) Close meeting to the public (if matters that are permitted to be in closed session are to be discussed; including but not limited to: contract negotiations, employee actions, personal information, and sensitive topics as defined by NJ Rev Stat § 10:4-12)

At a special meeting of GR BOH, the order shall not include items 3,4, and 5 of the above regular order of business

At the annual reorganization meeting, the order of business shall be as follows:

- (1) Election of president
- (2) Election of vice-president
- (3) Election of recording secretary
- (4) Appointment of staff, or contractual arrangements.
- (5) Establish date, time, place of regular meetings.
- (6) Establishment of committees.

(7) The regular order of business for regular meetings as set forth above shall then be followed.

The above order of business at regular meetings may be changed, modified, or amended if the majority of the members of the Board present at said meeting believe it would serve the interest and goals of the GR BOH and the public.

h. VOTING

- A. UPON EVERY VOTE OF THE Board, each member shall vote “yes,” “no,” “abstain,” or “recuse.”
- B. No member shall vote on any question in which he/she/they has a personal, financial or filial interest in the subject matter thereof.
- C. When a roll call is requested, the Recording Secretary of the Board shall call the name of each member.
- D. A member must be physically present to vote or may call in by phone to vote.
- E. The President votes last.
- F. All questions shall require for passage, an affirmative vote of the majority of the members present, unless otherwise required by law.

1. Roll call votes.

Roll call votes shall be required for the following motions:

- (1) Adopting an ordinance.
- (2) Appropriating or disbursing funds.
- (3) Making staff appointments.
- (4) Suspending or revoking licenses or permits.
- (5) Declaring nuisances.
- (6) Accepting service contracts.
- (7) Undertaking legal action.
- (8) Moving any resolution requiring a two-thirds majority under Roberts Rules of Order.

§ 4 Powers and Duties.

The GR BOH as authorized by Title 26 of the Revised Statutes of the State of New Jersey, and Glen Rock Code §4-71 shall be authorized or empowered to so adopt ordinances which shall in its judgment aid in the proper understanding and general enforcement of the Sanitary Code and the applicable laws of the Borough of Glen Rock, Bergen County, and the State of New Jersey.

§ 4-71 Powers and duties.

The Board of Health shall have the power and authority to adopt ordinances relating to the protection of the health of Borough residents, shall employ necessary personnel and fix their salaries and shall have under its jurisdiction the Bureau of Vital Statistics of the Borough, the Health Officer and such other employees as are necessary to carry out its duties. The Board of Health shall have all of the jurisdiction conferred upon boards of health by Title 26 of the Revised Statutes.¹¹

In order to meet its authority under §4-71 the GR BOH shall determine and establish the rules of its own proceedings and shall pass, promulgate, or adopt such rules, regulations, ordinances, bylaws, and resolutions pertaining to the purposes and objectives of the Board as may be necessary to properly carry out provisions of the applicable laws of the State of New Jersey governing the powers and duties of the local BOH.

The Board of Health may fulfill its duties regarding adopting ordinances in one of two ways. It can make a recommendation to the Mayor and Council, or it can pass its own ordinance.

- a. To make a recommendation to the mayor and council, the subject matter must have been discussed in a publically advertised meeting of the board and approved by a majority of members present in the meeting. All research and relevant background information shall be made available to the Mayor and Council upon request.
- b. To pass its own ordinance the Board of Health shall follow the procedure to insure adequate public notice and time to comment.

Procedure to adopt ordinances

- c. All GR BOH ordinances shall be submitted, in writing, at a meeting of the GR BOH and passed at a subsequent meeting. Except where otherwise provided by law, no ordinance shall be finally passed except by the vote of a majority of the members of the Board present at the meeting, provided that there is a quorum.
- d. Publication of ordinances. No ordinance shall be considered for final adoption until it has been advertised as required by law. The Borough Clerk shall be responsible for arranging for the advertising of proposed ordinances.
- e. Every ordinance passed by the Board shall within five business days after its passage, be presented to the Mayor and Council by the Borough Clerk, whose report shall be conclusive evidence that such ordinance has been so presented.
- f. If the Mayor and Council do not approve of a BOH ordinance they may pass a resolution nullifying the BOH resolution.

§ 5

The Glen Rock Board of Health shall by virtue of the authority vested to Boards of Health by the State of New Jersey and the authority designated to it by the Borough of Glen Rock shall have the power to hire or contract a Health Officer that will have the power and authority to make all inspections or examinations that are under New Jersey statute and required to be made by the GR BOH or that are required by any code, ordinance, regulation, or order of the Board.

The Health Officer/Registered Environmental Health Specialist, Public Health Nurse and Registrar of Vital Statistics shall make a written report at each regular meeting. All the above-named appointees shall perform such duties as may be directed by the statutes

of the State of New Jersey, Bergen County or the Borough of Glen Rock, or as they may, from time to time, be directed by the GR BOH.

Registrar of Vital Statistics. The Registrar of Vital Statistics shall keep all records of births, deaths and marriages as required by the division of vital statistics and administration of the new Jersey State Health Department and all other records required to be maintained by Statute. The Borough of Glen Rock may designate an municipal employee to fill the duties of the Registrar

§ 6 Counsel.

The GR BOH may utilize the Borough Attorney on an ad-hoc basis. The Borough Attorney shall represent the GR BOH in all litigation to which the Board may be a party. He/She/They shall attend meetings of the Board upon request. They shall prepare such ordinances and resolutions as may be requested by the Board. They shall perform such other legal services as shall from time to time be required by the Board.

§ 7 Amendments.

Amendments may be made to any bylaws at any regular meeting by introduction of a resolution which shall set forth that portion of the bylaws as to be amended and shall set forth the proposed amendments. Upon adoption of the resolution of the amendments to the bylaws by a majority of the members of the GR BOH, the amendment shall have full force and effect. Amendments shall be shared with the Mayor and Council within 5 (five) business days after adoption.