

Ocean County Board of Health
 175 Sunset Avenue
 Toms River, New Jersey
 Minutes
 May 8, 2024
 9:30 AM

The Regular Meeting of the Ocean County Board of Health was called to order on May 8, 2024, at 9:30 a.m. in the Auditorium, at 175 Sunset Avenue, Toms River, Ocean County, New Jersey, with Chairman John J. Mallon presiding.

1. Reading of “Open Public Meeting Act:”

2. Pledge of Allegiance:

Mr. John J. Mallon, Chairman asked everyone to join him in honoring our military service members who protect our freedom every day.

3. Roll Call:

- Ms. Jennifer Bacchione
 - Dr. Maurice Hill
 - Dr. Theresa Kubiel
 - Ms. Veronica Laureigh
 - Mr. Henry Mancini
 - Ms. Ruthanne Scaturro
 - Senator Robert Singer
 - Mr. John J. Mallon, Chairman
- ** Dr. Gupta was announced as present by Mr. Zabarsky at 9:40 a.m.**

Daniel E. Regenye, Public Health Coordinator
 Steve Zabarsky, Board Counsel
 Commissioner Deputy Director Gary Quinn, Liaison to the Board of Commissioners

4. Acceptance of Meeting Minutes:

On motion made by Senator Singer, seconded by Ms. Veronica Laureigh, the open meeting minutes from the April 24, 2024, meeting were approved.

Name	Bacchione	Gupta	Hill	Kubiel	Laureigh	Mancini	Scaturro	Singer	Mallon
Ayes	X		X	X	X	X	X	X	X
Abstain									
Nays									
Absent		X							

5. Chairman Mallon presented Resolution 152(24) – Which authorizes in entering into an agreement with the Township of Toms River to assume animal shelter operations.

Daniel E. Regenye, Public Health Coordinator of the Ocean County Health Department read the following statement and said he would take questions after he is done reading the statement.

The Ocean County Health Department has been operating Animal Shelters for well over three (3) decades. The Health Department operates these facilities in compliance with NJAC 8:23A which is the same regulation which Toms River operates under. We are extremely proud of the great work and diligence our dedicated staff and volunteers perform day in and day out 365 days of the year. There are currently five (5) facilities (listed below in alphabetical order) in Ocean County licensed to operate under this regulation (NJAC 8:23A)

1. Jersey Shore Animal Center (Brick)
2. Northern Ocean County Animal Facility (Jackson)
3. Popcorn Park (Lacey)
4. Southern Ocean County Animal Facility (Stafford)
5. Toms River Animal Shelter

It is the opinion of the Ocean County Board of Health and the Ocean County Health Department staff that all five (5) operations listed above are warranted to meet the Public Health needs of Ocean County. The County of Ocean was contacted by the Township several months ago inquiring about taking over the operations of the Toms River Animal Shelter which then started internal conversations between the County of Ocean and the Health Department as well as amongst staff internally. The Ocean County Health Department has not been opposed to this concept, but we have had and still have many outstanding questions regarding this request. On today's Ocean County Board of Health meeting, there is a resolution authorizing the Chairman to enter into agreement with the Township of Toms River for animal facility operations through a long-term lease of the facility. This does NOT extend to or include taking on animal control responsibilities. This would remain with the Township of Toms River as it is a specific municipal responsibility in New Jersey. If the Ocean County Health Department does end up taking over the operations of the Toms River Animal Facility, we will take the same pride and dedicate the same resources (staffing and financially) that we currently dedicate to our current facilities which are extensive.

In addition to the above facilities, the Ocean County Board of Health in a proactive manner to address emergency preparedness from an animal (pets/ livestock) perspective, purchased the Barnegat kennels in 2011 to enhance emergency preparedness specific for animals in Ocean County. This facility investment has been utilized several times including during Hurricane Sandy where we housed upwards of 300 animals of all types and kind for residents who were displaced due to Hurricane Sandy. This facility has also allowed us to properly respond to and meet the needs of various animal hoarding situations such as two most recently in the past year and a half where over the course of 6 months we took in and nursed back to health over 350 animals through these two events. In my 30 years of Public Health experience, I can attest that there is no county or health department in the State of New Jersey (probably nationally) that is more dedicated and compassionate than the County of Ocean and the Ocean County Board of Health neither of which sought out or pursued this arrangement we are speaking of today. The bottom line is, if the Township wishes to close the shelter and the only alternative is for the Ocean County Health Department to operate it, it is the opinion of this Board that we should step in to make sure this Public Health need is being met. I would further encourage all residents of Ocean County to better understand the operations and value of the Shelters we operate.

6. Comments from the Public: Comments from members of the audience were invited at this time to speak on Resolution 152(24) with a limit of three (3) minutes per speaker: Mr. John J. Mallon, Chairman, asked if anyone from the public wished to speak to please state your name and where you are from.

Dr. Maurice Hill, current Board of Health member requested to make some comments first and stated the Toms River Animal Shelter has been around for 40 years and this location has been since 2014 and it's only .4% of the total budget. It has yearly rabies clinics in January, there are contracts with local vets to provide care and they take in more than just cats and dogs. Due to the controversy at other public meetings this should be handled by letting voters of Toms River decide if they want the shelter. Dr Maurice Hill recommends tabling the vote on Resolution 152(24) at this time until the next Board of Health meeting in June. At this time, it's not appropriate to move forward and I would like to make a motion to table this until the next meeting in June. Chairman Mallon noted that no one seconded the motion.

Chairman Mallon noted the agreement isn't finalized yet and there is a provision in the resolution that if the signatures are acquired then it will nullify the authorization.

Board Counsel Mr. Zabarsky noted that during the roll call Dr. Gupta was not present but for the record **Dr. Gupta is now present in the meeting.**

Jon Salonis, Business Administrator of Toms River stated this is a budgetary decision by the township because we don't have the funds or resources to run an animal shelter. We think the County would do a great job and look forward to leasing the facility to the County.

David Ciccozzi,, Councilman, Ward 4 of Toms River for 2 years and 4 months. There is money in the Township Budget, and there are hundreds of people that oppose this, this is no reflection on the County. People of Toms River want to keep the shelter, and we have dozens of volunteers. We still owe money on it, and we want to take care of these animals. Do the right thing and table this for a month and see how the petition goes. We have the signatures to stop this. Thank you for your time.

Daniel E. Regenye commented that there is a stipulation in the resolution that states that this approval is contingent upon the non-invalidation of the Toms River ordinance authorizing the lease agreement so Mr. Ciccozzi you talked about the petition of signatures, that would make it null and void.

Liz Dorick, Toms River resident and a resident of Ocean County for 63 years. Happy Nurse's Week to all our hard-working heroes. Ms. Dorick commended the Ocean County Health Department on our animal facilities and the system we have. They have worked hard to get the facility they have under different leaderships, staffing issues to be where they are today and love the facility on Oak Avenue. Ms. Dorick is asking to table this resolution today as they are still getting signatures and the residents of Toms River want to keep their shelter. We appreciate the wonderful job Ocean County Health Department is doing with their shelter, but we would like our own. Thank you for your time.

Mike Cohen, Toms River resident who has been volunteering at the Toms River Animal Shelter since 2021. September of 2022 hired on as a cat kennel aide. Reading through the lease agreement, paragraph 30, it states in the event the tenant fails to utilize the building for the shelter care of animals in the same manner as it is currently utilized, the landlord should have the right to terminate the lease on 60 days' notice. If the Ocean County Health Department is not planning on rehabbing wildlife or not caring for animals other than cats or dogs, it seems inappropriate for the board to vote in favor of the lease because upon taking control of the building the tenant would be in breach of the lease. Thank you

Senator Robert Singer stated for the record that the Toms River Animal Facility is not licensed to be a rescue for wild animals, a separate license is required to operate in that manner.

Daniel Regenye noted that he received the lease by Toms River late yesterday. The Resolution states to authorize a lease, not the lease. We still have questions about what was presented to comment on this any further.

Dr. Maurice Hill said if the lease hasn't been fully approved then we shouldn't be voting and we should just table this until the stopping period.

Paul Williams a Toms River resident explained that at the Toms River Council Meetings when something is about to be voted on, something that goes against the desire of the people and when the public officials don't listen to what the people are trying to tell them the people feel unheard.

Tom Fredella from Toms River spoke about the budget and over the last 6 years the shelter was at \$500,000.00 or less. The million-dollar donation would cover our services for an entire 2 more years. We have been quoted numbers from \$600,000.00-\$800,000.00 and then a letter was sent to Toms River residents stating the shelter would now cost \$1,000,000.00 to run. There is a chance to table this today, but we aren't voting on whether we have the ability to negotiate a lease, we are voting on the opportunity to enter into a lease. We have made every attempt to contact the mayor and present numbers to him without success. We would just like the opportunity to work together. Thank you.

Kevin Geoghegan from Toms River wanted to point out that this shelter also benefits the senior citizens because I have seen residents not wanting to go to the hospital because they don't want to leave their pet home alone. We take more than just dogs and cats and we like to assure these seniors that we will take care of you and your pet. We got a lot of support from family members in the past and we would like this to continue. Thank you.

Daniel E. Regenye wanted to clarify that while we do service primarily cats and dogs, we would not turn others away. We have had pigs, ducks, and rabbits but we don't house them long term. We have many contacts, and we work with other rescues who are experts in these areas and they take those animals.

Danielle Fuchs from a rescue in Toms River had found a chicken and went to the Toms River Animal Shelter in the middle of the day and the doors were locked, it was dark, and no one answered the phone.

Mr. Mallon said that was something we couldn't answer but we are basically stepping in because they are going to close the shelter. If we come in, if the lease goes through, we will operate it just like we operate our shelters, 24-7 and we have staff, we have a veterinarian. We have noted your comments in regard to the Toms River Shelter being closed in the middle of the day.

Phil Brilliant from Toms River said that the mayor stated at the council meeting that the shelter is not closing. The council members just saw the lease at 6pm before the council meeting at 7pm and there is still a lot to review and work out as well as the lease for the county. The previous budget for Toms River included the shelter and animal control but the lease with the county would just be shelter and not animal control.

Carlos from Toms River expressed that for the community to grow you have to invest in the community. We must work out the deficit, so it benefits everyone. What happens to the employees if the shelter closes. Please take everything into consideration when making this decision so it is best for everyone. Thank you.

Irene Watson of Toms River asked what would be done to improve the animal shelter if the county took it over. Mr. Mallon stated we would like someone to come in and look over the facility and see what improvements need to be made. All our facilities have dog runs so that would be the first thing we would look at. Animals can't just be in cages, they need runs to make it easier to clean, and deal with aggressive animals. We also would like to look at what additional staff would be needed, and we would interview them and see where they fit into our operations.

Toms River follows a no kill rule and Mr. Mallon clarified that Toms River takes any animal that needs to be euthanized or has behavioral issues and sends them to one of Ocean County Animal facilities to be euthanized and we have the licenses and vets to do it. We would always be operating 24-7 with staff there. We have a veterinarian and vet tech available if needed. A veterinarian is always the one who makes the decision to euthanize an animal.

No one else from the public wished to speak. Chairman Mallon called for a motion to close public comment-Motion was made by Senator Singer seconded by Ms. Veronica Laureigh.

Senator Singer made clear that we did not seek out entering into a lease with Toms River, they approached us and said they were going to close the shelter unless the Ocean County Health Department took it over.

Senator Singer also mentioned that our staff did a phenomenal job during the hoarding cases in caring for the animals and getting all those animals adopted as soon as they were medically cleared and ready to go.

Resolution 152(24) - Authorization to enter into a lease agreement with the Township of Toms River to assume Animal Shelter operations – Motion was made by Ms. Ruthanne Scaturro, seconded by Ms. Veronica Laureigh with Dr. Maurice Hill voting no, with Ms. Bacchione, and Mr. Mancini abstaining and Dr. Gupta, Dr. Kubiell, Ms. Laureigh, Ms. Scaturro, Senator Singer, and Chairman Mallon all voting yes with Resolution 152(24) being approved.

Mr. John J. Mallon, Chairman, then asked for a motion for the consent agenda on resolutions 142(24) through 151(24) and 153(24) through 158(24) and to follow the abstention list. - Motion was made by Dr. Theresa Kubiell, seconded by Ms. Veronica Laureigh, and unanimously approved.

7. Adoption of Resolutions:

Resolution 142(24) – Finance Committee Report – May 8, 2024 - \$446,945.09– Motion was made by Dr. Theresa Kubiell, seconded by Ms. Veronica Laureigh, with Dr. Gupta abstaining on Item #24-00996 and #24-00997; and Dr. Kubiell abstaining on Item #24-00996 and # 24-00997, and Senator Singer abstaining on # 24-00996 and #24-00997 and unanimously approved.

Resolution 143(24) – Personnel Committee Report – May 8, 2023 – Motion was made by Dr. Theresa Kubiell, seconded by Ms. Veronica Laureigh, and unanimously approved.

Resolution 144(24) – Authorization to enter into an agreement with the County of Ocean – direct and indirect cost for 2024 -Motion was made by Dr. Theresa Kubiell, seconded by Ms. Veronica Laureigh, with Mr. Mancini abstaining and unanimously approved.

Resolution 145(24) – Authorization to execute documents for the retention of real estate broker services - Motion was made by Dr. Theresa Kubiell, seconded by Ms. Veronica Laureigh, and unanimously approved.

Resolution 146(24) – Authorization to accept insurance reimbursement from the health insurance claims of clients for seasonal vaccinations – Motion was made by Dr. Theresa Kubiell, seconded by Ms. Veronica Laureigh, and unanimously approved.

Resolution 147(24) – Authorization to enter into a contract to provide an online alcohol prevention portal – Motion was made by Dr. Theresa Kubiell, seconded by Ms. Veronica Laureigh, and unanimously approved.

Resolution 148(24) – Authorization to enter into a Memorandum of Agreement with CHEMED and Ocean Health Initiatives for the provision of Dental Clinic Services in an amount not to exceed 50% of each respective awarded 2023 contract until July 1, 2024- Motion was made by Dr. Theresa Kubiell, seconded by Ms. Veronica Laureigh, and unanimously approved.

Resolution 149(24) – Authorization to apply for the New Jersey Department of Health Childhood Lead Exposure Prevention Project Grant – in an amount not to exceed \$205,550.00 – for the period July 1, 2024, through June 30, 2025 – Motion was made by Dr. Theresa Kubiell, seconded by Ms. Veronica Laureigh, and unanimously approved.

Resolution 150(24) – Authorization to apply for the Strengthening Local Public Health Capacity Program 2025 Pathway B Grant – in a new amount not to exceed \$45,202.00 – for the period July 1, 2024, through June 30, 2025 – Motion was made by Dr. Theresa Kubiel, seconded by Ms. Veronica Laureigh, and unanimously approved.

Resolution 151(24) – Authorization to apply for the OLPHCHI24 County Infrastructure Grant Program 2024 in an amount not to exceed \$1,442,915.00 for the period of July 1, 2023, through December 31, 2024.- Motion was made by Dr. Theresa Kubiel, seconded by Ms. Veronica Laureigh, and unanimously approved.

Resolution 153(24) – Authorization to apply for Diabetes Prevention and Control Program grant for an amount not to exceed \$25,000.00, for the period of July 1, 2024, through June 30, 2025 – Motion was made by Dr. Theresa Kubiel, seconded by Ms. Veronica Laureigh, and unanimously approved.

Resolution 154(24) – Authorization to forward the FY 2025 Ocean County Solid Waste Control Plan to the Ocean County Solid Waste Advisory Council, Ocean County Board of Commissioners and the New Jersey Department of Environmental Protection – and to authorize the Public Health Coordinator to enter into related agreements concerning the enforcement aspects of the Ocean County Solid Waste Program – Motion was made by Dr. Theresa Kubiel, seconded by Ms. Veronica Laureigh, with Ms. Jennifer Bacchione abstaining from Berkeley; Ms. Veronica Laureigh abstaining from Lacey; Mr. Henry Mancini abstaining from Bamegat, Berkeley, Brick, Eagleswood, Jackson, Lacey, Little Egg Harbor, Long Beach Township, Ocean, Seaside Heights, Seaside Park, Stafford, Toms River, Tuckerton and Ocean County; and Mr. John J. Mallon, Chairman abstaining from Pine Beach, and unanimously approved.

Resolution 155(24) – Recognition of June 10-14, 2024, as National Community Health Improvement Week – Motion was made by Dr. Theresa Kubiel, seconded by Ms. Veronica Laureigh, and unanimously approved.

Resolution 156(24) – Recognition of June 10-16, 2024, as National Men’s Health Week – Motion was made by Dr. Theresa Kubiel, seconded by Ms. Veronica Laureigh, and unanimously approved.

Resolution 157(24) – Recognition of June 27, 2024, as National HIV Testing Day – Motion was made by Dr. Theresa Kubiel, seconded by Ms. Veronica Laureigh, and unanimously approved.

Resolution 158(24) – Recognition of May 2024 as National Hepatitis Awareness Month – Motion was made by Dr. Theresa Kubiel, seconded by Ms. Veronica Laureigh, and unanimously approved.

7. Mr. Mallon excused Dr. Hill from the meeting after all resolutions were voted on. Mr. Mallon mentioned it was Nurse’s week and thanked the nurses for all that they do.

8. Comments: Commissioner Deputy Director Gary Quinn, Liaison to the Board of Commissioners

Comments from Commissioner Deputy Director Gary Quinn: Commissioner Deputy Director Gary Quinn, Liaison to the Board of Commissioners wanted to clarify the Board of Commissioners does not oversee the Ocean County Board of Health, and the main focus for the County and the Board of Health in regard to the Toms River Animal Shelter is to make sure all the animals are safe and taken care of. Both the Ocean County Board of Health and Board of Commissioners will never take ownership of that shelter because it belongs to the Toms River residents and taxpayers. Being the liaison between the County and the Board of Health, we want to ensure that the shelter stays open, and the animals are cared for.

Ms. Scaturro, as a Member of the Ocean County Board of Health and a resident of Brick New Jersey wanted to give recognition to the Ocean County Health Department employees for the great job they did during the two hoarding situations in Brick. They were out day and night

and spent an incredible amount of time taking care of the animals and how much they did to make sure every one of those animals got adopted so thank you to all of them.

Ms. Bacchione stated she had an opportunity to tour the Ocean County Animal Facilities and was impressed by the facilities, the workers, their devotion and care for the animals and is hurt that this situation with the Toms River Animal Shelter is more political than it being about the animals and what is best for them and when the Ocean County Health Department and the Board of Health heard this shelter might be closing they stepped up and stated they would take care of the animals so this is not political on our part, our concern is for the care of the animals. Thank you to Chairman Mallon and Daniel Regenye and the staff of the Ocean County Health Department. If anyone has any concerns, please go, and tour these animal facilities and see how they care for the animals.

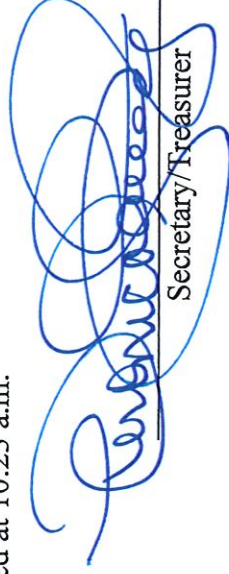
Daniel E. Regenye, Public Health Coordinator of the Ocean County Health Department recognized the hard work of the staff and acknowledges the support we also get from two volunteer groups, the rescues, and the foster groups that we also work with do a phenomenal job.

9. Comments from the Public: Comments from members of the audience were invited at this time to speak: Mr. John J. Mallon, Chairman, asked if anyone from the public wished to speak.

Irene Watson spoke again and asked the question in regard to money that was bequeathed to the Toms River Animal Shelter. If the Ocean County Health Department takes over the shelter would the money be used for the shelter. Mr. Mallon said his understanding was that money would be used for the shelter.

10. Authorization to Enter Into Closed Session If Necessary: Closed Session was not needed at this time.

11. Adjournment: A motion was made by Senator Singer, seconded by Ms. Veronica Laureigh, and the meeting adjourned at 10:23 a.m.



Secretary/Treasurer