

AGREEMENT, made this *15* day of *December*, 1975, by and

between:

THE BOARD OF HEALTH OF THE BOROUGH OF
PRINCETON,

THE BOARD OF HEALTH OF THE TOWNSHIP
OF PRINCETON,

parties of the first and second parts, said Boards of Health being herein-
after sometimes referred to as the "local boards,"

THE BOROUGH OF PRINCETON, IN THE COUNTY
OF MERCER, and

THE TOWNSHIP OF PRINCETON, IN THE COUNTY
OF MERCER,

parties of the third and fourth parts, each of which is a municipal corpora-
tion of the State of New Jersey in the County of Mercer, and which are
hereinafter sometimes referred to as the "municipalities":

WITNESSETH:

WHEREAS, the local boards desire to form a regional health
commission pursuant to Article 6 of Chapter 26 of the Revised Statutes of
New Jersey; and

WHEREAS, the municipalities join herein merely to indicate their
approval of the provisions of this agreement having application to them:

NOW, THEREFORE, in consideration of the premises and of the
covenants, terms and conditions hereinafter set forth, it is AGREED:

1. Regional health commission created; name.

The local boards hereby form an association to furnish public
health services to their combined municipalities, and said association shall
be known as the "Princeton Regional Health Commission" (the Commission).
The Commission shall be governed by Article 6 of Chapter 26 of the Revised
Statutes, N. J. S. A. 26:3-83 et seq., and this agreement.

2. Composition; alternate members; terms;
vacancies; compensation.

The Commission shall consist of four regular members, to wit:
a member of each local board appointed by it and the president or the

chairperson of each local board. In addition, each local board shall appoint two of its other members as alternate members of the Commission.

Alternate members shall have the right to attend all meetings of the Commission and to participate in its deliberations, but no alternate member shall have the right to vote on any Commission action except during the absence and in the place and stead of one of the regular members from the same local board. Not more than one alternate member shall vote in the place and stead of the same regular member, nor shall any alternate member vote in the place and stead of more than one regular member, during any one Commission meeting.

The terms of appointed members, both regular and alternate, shall be one year, computed from the first day of January of the year of their appointment. Vacancies among appointed members occurring other than by expiration of term shall be filled by the appointing authority for the unexpired portion of the term only. All members shall serve after the expiration of their terms until their successors are qualified.

Members shall receive no compensation for their services, but within budgetary limitations, they shall be entitled to reimbursement for ordinary and necessary expenses incurred in the performance of their duties.

3. Organization; meetings; officers; quorum;
vote required; rules and regulations.

The Commission shall meet annually in January, at which time it shall organize by electing a chairperson and vice-chairperson from among its members and by electing or appointing from among its members or otherwise a secretary, a treasurer and such other officers or assistants as shall be deemed advisable; provided, however, that the first organization meeting of the Commission take place promptly after execution of this agreement by all parties. The Commission shall meet at such other times as are provided for by law or its bylaws.

The terms of officers shall be one year, computed from the first day of January of the year of their election or appointment, and vacancies shall be filled in the same manner as original election or appointment, but for the unexpired term only. Officers shall serve after the expiration of their terms until their successors are qualified.

Three members, either regular or alternate representing regular, shall constitute a quorum for the transaction of business, and no action shall be taken except upon three affirmative votes.

The Commission may adopt, amend and repeal such bylaws, rules and regulations for its own government and for the implementation of its powers and duties as are not inconsistent with law or this agreement.

4. General powers, duties and jurisdiction.

The Commission shall have jurisdiction in all matters of public health within the geographic area of the Borough of Princeton and the Township of Princeton. It shall succeed to all of the powers and perform all of the duties conferred and imposed upon the local boards, which it shall supersede except as otherwise provided herein. In addition, it shall have all of the powers and perform all of the duties within said geographic area that by law are conferred and imposed upon local boards of health in New Jersey.

5. Services to be performed.

The Commission shall furnish for each local board all public health services for the local district, subject to approval by the State Commissioner of Health. The furnishing of such services shall begin January 1, 1976 and shall continue during each calendar year thereafter unless, and except to the extent, otherwise arranged between the Commission and the local board.

Until January 1, 1976, public health services shall continue to be furnished by the local boards as heretofore.

6. Health officer and other employees.

The Commission may employ a health officer, who shall devote full time to the duties of the office, and such inspectors, nurses, clerks and

other employees as may be necessary to perform the services it is authorized and has agreed to render. Only licensed personnel shall be employed for certain offices or work, as provided in N. J. S. A. 26:3-94.

The Commission shall fix the terms of office and the salaries of its employees, subject, however, to budgetary limitations, the provisions of N. J. S. A. 26:3-94 concerning employment of personnel of superseded local boards, municipal personnel standards and any applicable laws concerning tenure in office.

7. Ordinances; enforcement.

The ordinances of each local board shall remain in effect within the geographic area of the local board's municipality until altered or repealed by the Commission. The ordinances of each local board may be enforced by and in the name of the Commission by proceedings instituted and prosecuted in any court having jurisdiction of such proceedings in such municipality, and ordinances of the Commission may be enforced in like manner in a court having jurisdiction of such proceedings in the region.

8. Fiscal authority and powers; fees and fines and appropriation thereof; treasurer's bond.

The Commission shall have authority to receive funds from any source, including the treasurers of the municipalities, and to expend such funds for the purposes of the Commission, all in accordance with such procedures not inconsistent with law as shall be agreed upon by the Commission, the local boards and the governing bodies of the municipalities.

All fees, fines and other moneys collected by the Commission shall be remitted periodically to the municipalities under such procedures as shall be prescribed by the governing bodies thereof and the sums so remitted shall be apportioned between the municipalities in the same ratio as annual appropriations.

The treasurer of the Commission shall be required to furnish bond in such amount and form as shall be approved by the Commission.

9. Annual budget.

The Commission, after consultation with the local boards, shall prepare annually and present to the governing bodies of the municipalities a proposed budget with respect to its activities for the ensuing calendar year. The budget shall clearly reflect anticipated expenses, income or funds anticipated or on hand from sources other than local taxation, and the amount to be appropriated and raised by local taxation. It shall be in such form, subjected to such procedures, and submitted at such time as the governing bodies and local boards shall prescribe. The governing bodies shall have the power to approve the budget in the amount submitted or in such other amount as they may determine, and the budget, as finally agreed upon and approved by the governing bodies, shall constitute the budget for the Commission for the budget year.

10. Apportionment of expenses; annual and special appropriations; payments to the Commission.

The amount to be raised by local taxation for the expenses of the Commission, as shown in the approved annual budget, shall be apportioned between the municipalities in proportion to the respective assessed valuations of real and personal property therein in the year preceding the budget year, as such assessed valuations were equalized by the county board of taxation. The amount so apportioned to each municipality shall be appropriated by that municipality in the same manner as other appropriations are made and shall be assessed, levied and collected in the same manner as money appropriated for other expenses of the municipality.

Special appropriations for activities of the Commission may be made from time to time by the governing bodies in such amounts and for such purposes, and shall be so apportioned between the municipalities, as the governing bodies upon recommendation of the Commission and the local boards shall agree. Special appropriations shall be raised, assessed,

levied and collected in the manner provided by law.

Moneys so raised by local taxation shall be turned over or made available to the Commission by the municipalities under procedures approved by the Commission, the local boards and the governing bodies, and moneys so turned over or made available shall constitute payments on behalf of the respective local boards for services furnished by the Commission to said boards.

11. Termination.

The Commission may be terminated by the adoption of a resolution to that effect by either of the local boards. Such termination shall be effective December 31 next succeeding the expiration of six full calendar months following the adoption of such resolution or on such earlier date as the local boards shall agree; provided, however, that in no event shall termination be made effective earlier than two years after the date of this agreement.

12. Effect of termination.

Upon termination, the affairs of the Commission shall be wound up and its property equitably disposed of, the terms of office of Commission members and officers shall come to an end except for the purpose of such winding up and disposition, and the local boards shall resume power and jurisdiction in all public health matters within their respective districts.

Ordinances of the Commission, whether they amended or repealed previous ordinances of the local boards, or were new or supplementary enactments, shall remain in effect and be enforceable following termination of the Commission until altered or repealed by a local board as to its district.

13. Successors and assigns.

This agreement shall bind and inure to the benefit of the parties hereto and their respective successors and assigns.

IN WITNESS WHEREOF, the parties have caused these presents to be signed by their proper corporate officers and their corporate seals to be hereunto affixed and attested, the date and year first above written.

ATTEST:

Helms M. Beas
Secretary

THE BOARD OF HEALTH OF THE
BOROUGH OF PRINCETON

By Joine H. Beisue
President

ATTEST:

Therese L. Smith
Secretary

THE BOARD OF HEALTH OF THE
TOWNSHIP OF PRINCETON

By Margaret Johnson
Chairperson

ATTEST:

Robert F. Mooney
Robert F. Mooney, Borough Clerk

THE BOROUGH OF PRINCETON,
IN THE COUNTY OF MERCER

By Robert W. Cawley
Robert W. Cawley, Mayor

ATTEST:

Joseph R. Nini
Joseph R. Nini, Township Clerk

THE TOWNSHIP OF PRINCETON,
IN THE COUNTY OF MERCER

By Junius J. Blizman
Junius J. Blizman, Mayor

THE PRINCETON REGIONAL HEALTH COMMISSION

HISTORY AND ORGANIZATION

In the fall of 1975 the Borough and Township Boards of Health, separately, voted to establish a regional health commission under the provisions of New Jersey Statutes, Title 26, Article 6. At that time each municipality had a seven-member board of health with a staff consisting of a health officer, one sanitarian and a secretary. The population of the two municipalities together was less than the 25,000 set by the State Health Department as the minimal size for an effective and efficient local health department.

On December 15, 1975, the representatives of the two boards of health and of the two municipal governments signed a contractual agreement under which a Princeton Regional Health Commission was organized to take over all the functions of the two local boards, as of January 1, 1976. The Office of the Commission would be in Borough Hall; the Borough would handle administrative affairs; costs would be shared according to the ratio of equalized assessed valuation. The Commission would hire staff and perform all the functions of the two local boards of health.

The State statute (cited above) provides that a regional health commission shall be composed of two members from each participating local board, a provision which limits the size of the Princeton Regional Health Commission to four persons. The Agreement of December 15 provided, however, for the designation of two alternates from each local board in addition to the two regular members. That left three members of each local board with no role to play. To meet this difficult situation a plan was devised, and carried through to completion in January 1981, under which each municipal government reduced the size of its board of health to five members, and the Agreement of December 15, 1975 was amended to authorize three alternates from each board to be designated Alternates 1, 2, and 3. The statute provides no way to dispense with the local boards. They continue in existence with no role except to designate certain of their members as Regular and the rest as Alternate members of the Commission.

In practice these changes make all five members of each local board officially members of the Commission. The Alternates attend meetings regularly, participate in all committee activities, and play a constructive role in Commission discussions. Program and policy decisions are almost always unanimous.

Each municipal government appoints five members to its own local board of health for three-year over-lapping terms. In January of each year each local board meets, chooses two of its members to be Regular Members of the Commission, one being its own chairman or president who becomes automatically a Regular Member. Each local board also assigns specific voting order to the other three members who become alternates. In 1987, for the first time, the separate organization meetings of the two local boards were held on the same evening as, but preceding, the Commission's January organization meeting. This practice continues.

From the beginning of the Commission's existence it was obvious that By-Laws must be drawn up to establish procedures and practices consistent with traditional parliamentary practice and with the terms of the Agreement of December 15, 1975 as amended. Devising orderly and workable procedures for nomination and election of Commission officers was one of the immediate problems. The procedure devised requires each local board at its January organization meeting to designate one of its members to serve on the Commission Nominating Committee. The third member is designated by the Commission Chairperson who ensures that at least one member is a Regular Member and that the boards alternate in having two members on the committee. This Nominating Committee of three persons presents a slate of nominations for officers at the Commission's organization meeting for the following year.

Other procedures set by the By-Laws are also designed to preserve the equal partnership of the two boards. First adopted in December 1976, the By-Laws have been amended several times. A copy of the By-Laws can be obtained from the Princeton Regional Health Department.

Since November, 1989, the Commission has assumed responsibility for its own personnel, under New Jersey Annotated Statutes 26:3-19, 27. It employs its own staff members, fixes their duties and compensation (within limits) and has authority to dismiss them. Copies of the "Personnel Policies of the Princeton Regional Health Commission", approved in November 1989 and amended in April 1991, are available in the Health Department office in Borough Hall.

Information about the public health and environmental programs and activities of the Health Department and also about ordinances passed by the Commission may be obtained at the Health Department office.

Margaret T. Sprout
Secretary
Princeton Regional Health Commission
January 14, 1993

MTS:jc