



RESOLUTION 2019 - 19

**RESOLUTION AUTHORIZING TERMINATION OF A SHARED SERVICE AGREEMENT FOR NJDEP ODOR ENFORCEMENT BETWEEN THE MONMOUTH COUNTY REGIONAL HEALTH COMMISSION #1 AND THE MONMOUTH COUNTY HEALTH DEPARTMENT IN RELATION TO MONITORING THE MONMOUTH COUNTY RECLAMATION CENTER**

**WHEREAS**, pursuant to the County Environmental Health Act, N.J.S.A. 26:3a2- 21 et seq., (hereinafter "CEHA"), the Monmouth County Health Department ("MCHD") has adopted a CEHA Work Program and Plan ("Work Plan") for meeting environmental health performance standards throughout the County, which Work Plan has been certified by the New Jersey Department of Environmental Protection ("NJDEP") and includes, but is limited to, the control of air, noise, water, solid waste and hazardous materials pollution within Monmouth County; and

**WHEREAS**, the County's Health Officer, pursuant to N.J.S.A. 26:3A2-1 et seq., and N.J.S.A. 26:3A2-21 et seq., serves as the Chief Administrative, Enforcement and Fiscal Officer for Monmouth County's CEHA program, and requires a staff of qualified personnel to execute compliance with and enforcement of CEHA'S standards; and

**WHEREAS**, the Monmouth County Regional Health Commission No. 1 (MCRHC), as a regional health commission administered by a full time Health Officer as required by the provisions of title 26:23A2-14, employs personnel trained and qualified in accordance with requirements established by the NJDEP and does not possess the necessary equipment and expertise needed to carry out CEHA activities within all contracted towns for the provision of services in Monmouth County in responding to incidents or complaints concerning air pollution related to operations of the Monmouth County Reclamation Center, as set forth in the Certified Agency's work plan; and

**WHEREAS**, the Monmouth County Regional Health Commission has determined that we can no longer provide the services of a CEHA sub-contractor based on the large number of complaints, limited CEHA assistance and a lack of necessary resources, we are terminating this agreement according to the provisions of the March 26, 2013 agreement; and

**WHEREAS**, we have provided written notice by e-mail on January 29, 2019, informing the Monmouth County Health Department that we will be exiting the agreement, effective April 29, 2019 (90 days);

**NOW THEREFORE, BE IT RESOLVED** Monmouth County Regional Health Commission confirms its intent to terminate the Uniform Shared Services agreement with the Monmouth County Health Department for investigating all citizen complaints and NJDEP complaints related to air pollution/odors from the operations of the Monmouth County Reclamation Center effective April 29, 2019, and shall cease and transfer any outstanding enforcement action to the Monmouth County Health Department.

**BE IT FURTHER RESOLVED** by the Board of Commissioners of the Monmouth County Regional Health Commission #1 that a signed original Agreement of this Resolution along with the signed original Agreement of the Interlocal Service contract be supplied to the Borough of Tinton Falls. An additional set of originals will be kept on file at the MCRHC office in Tinton Falls, New Jersey.

MOVED:	Shrewsbury (Roman)
SECONDED:	Fair Haven (Casagrande)
IN FAVOR:	9
OPPOSED:	0
ABSTAINED:	0

I hereby certify that this is a true copy of a Resolution passed at the meeting held on February 11, 2019.

*David A. Henry*

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David A. Henry, Health Officer  
Monmouth County Regional Health Commission No. 1

*Heather L. Frketich*

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Heather L. Frketich, Commission Secretary  
Monmouth County Regional Health Commission No.1