

Bergen County Improvement Authority
ONE Bergen County Plaza,
Hackensack, New Jersey
Work Session
CERTIFIED MINUTES
May 5, 2011

APPROVED

Present: Commissioners: P. Wilson, L. Visotcky, K. Corcoran, L. D'Arminio, E. Trawinski
BCIA Staff: R. Garrison, M. Raguseo, J. Montag, B. Losito, G. Velazquez
General Counsel: J. Shahdanian, Esq.
Compliance Officer: F. Tomkins
Urban Health Institute: P. Breyer

Meeting Called to Order

The meeting was called to order at 5:30 p.m. by Chairperson Philip Wilson.

Proof of Public Meeting Notice Publication

B. Losito read the Proof of Public Meeting Notice.

Open Meeting for Public Comment for Matters Not on Today's Agenda

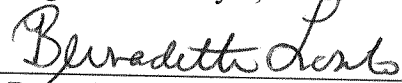
Chairperson Wilson stated for the record that all Commissioners serve on the BCIA Board without compensation. That includes Mr. Trawinski, Ms. Visotcky, Mr. Corcoran, Mr. D'Arminio and himself. In addition, the Chairperson requested that those members of the public wishing to speak at the meeting address his/her question to the Chair and limit any comments to seven (7) minutes in accordance with our By-Laws.

Motion was made by Commissioner Visotcky and seconded by Commissioner Trawinski to open the meeting for public comment. Motion carried unanimously.

Chairperson Wilson asked if there were any questions by the public concerning matters not on today's agenda.

Jeff Peck, hospital employee and HPAE Union representative asked to call to our attention insufficient staffing on Easter weekend. The hospital staffing person has been on leave and there does not seem to be any hospital employee to be sure that staffing levels are met. As Mothers Day is just a few days away, Mr. Peck asked that adequate staffing levels be secured.

I hereby certify that these are the minutes of the meeting held on May 5, 2011


Bernadette Losito, Assistant Secretary

Close to Public

As there was no other members of the public wishing to be heard, Chairperson Wilson asked for a motion to close the meeting for public comment.

Motion was made by Commissioner D'Arminio and seconded by Commissioner Corcoran to close the meeting for public comment. Motion carried unanimously.

Chairperson's Report

Chairperson Wilson advised that the BCIA will only be awarding a contract to our chief financial officer this evening. He advised that he will add comments to items being discussed by others during today's work session. He also asked if any Commissioner were interested in working on the update/revision of our BCIA website for them to speak with him about that privately.

General Counsel's Comments

General Counsel Shahdanian addressed his questions to Mrs. Mendelowitz as Joe Orlando was not in attendance. He advised that the BCIA has yet to receive adequate information regarding the hospital's recent layoffs. He advised that the hospital's counsel responded that the hospital has provided the BCIA with the information it requested, even though the BCIA position is that the hospital's response and the information provided was not sufficient. The BCIA is evaluating our options. We also asked to be provided with BRMC policies and procedures. The hospital's counsel said we can get this information electronically, however we would have to retrieve this information at a computer terminal at the hospital. We have yet to be given access to said terminal. We also asked for a procedure/policy index so that we could specify what specific items we would be interested in reviewing. No index has been provided. We also asked for any letters/memoranda setting forth changes in policy. No documents have been provided.

In addition, the need for clean up in connection with Building 14 was brought to the hospital's attention when the County Executive toured the facility. To our knowledge, this situation has yet to be rectified.

Further, the BCIA would ask for the status of hiring a medical doctor in connection with the psychiatric patients at BRMC. It was our understanding that a nurse practitioner was serving the medical needs of the psychiatric patients while the search for and hiring of the prior medical doctor's replacement.

Executive Director's Report

Executive Director Garrison advised that the BCIA has a meeting scheduled with members of the Bergen County Parks Department regarding Bergen Equestrian Center. Our discussion will include possible options such as potential summer operation as well as long term uses and operation of the facility.

Mr. Garrison advised that he, along with Commissioner D'Arminio, had a meeting with several bond counsels who the BCIA has used in the past to discuss the fees associated with bonding.

The bond counsels disclosed what services were performed by various professionals and how and what these professionals are paid for their services. Our discussions revealed that the fees the BCIA pays are generally within the range of other facilities in the State; however, there are areas where we may be able to reduce these fees moving forward. Mr. Garrison advised that he has asked other authorities and other New Jersey entities for a breakdown of fees they pay for bonding. Executive Director Garrison advised that he hopes to provide feedback/analysis concerning fees associated with BCIA bonding by our next meeting.

Commissioner D'Arminio mentioned that the largest fee associated with the bond deals is with the underwriter. He advised that we could possibly look at ways to lower this cost, but the way the underwriter makes money is by selling the bonds. The BCIA would want the underwriter to work hard to sell the bonds without diminishing his incentive. Commissioner D'Arminio advised that there are numerous parties involved in bonding who collect fees for their service. These fees are not very large. We could possibly impose an hourly rate for services performed up to a certain dollar amount, but in a recent bond deal where this scenario was imposed, the work generated required the party to earn a larger fee than would have been earned if there was a fixed fee.

Chairperson Wilson thanked Commissioner D'Armino for taking the time to investigate this matter with Executive Director Garrison.

Executive Director Garrison advised that we have no immediate bond deals. However, we are making sure that any programs that will be helpful to our County, municipalities or school boards are being pursued. Chairperson Wilson asked about the Bergen Municipal Banc. Mr. Garrison advised that the Muni Banc is still in existence and that two municipalities have recently used this program. We are in the process of making sure that this program is still properly funded as well as in good standing with the Local Finance Board.

Commissioner Trawinski advised that on the Bergen CAP bond financing we have had confirmation from Moody's rating service of our bond rating of triple A. Commissioner D'Arminio reminded the Board that he would be recusing himself from voting on this matter. No vote was needed at this time.

Hospital Report

Mrs. Mendelowitz' report included the following:

Human Resources:

- Several union contracts have been settled: CIR – Council of Interns & Residents, and Local 68 – stationary engineers & maintenance workers. We are in negotiations with Local 74 – Security guards and the Doctors Council.

Follow-up from previous meeting:

- BHS – Medical coverage is provided as follows: Unit FG – Child & Adolescent unit – covered by a private Pediatric physician group. Unit 12A – long term geriatric – covered by a private Geriatric physician group. Unit D1 – Forensic – covered by a private attending physician. The Medical Liaison coverage for the remaining 11 units is currently being provided by the Director of Medicine, a hospitalist, a nurse practitioner and a private attending, who have specific units assigned to them for coverage. The Director of Medicine (Dr. Sweeting) is reviewing options of providing coverage which may or may not include the hiring of a full time physician, or may include a combination of medical providers i.e.: physician and nurse practitioner, or a private physician coverage model as is done on FG, 12A and D1.

Chairperson Wilson asked what other responsibilities does Dr. Sweeting have at BRMC? No direct response was given. Mrs. Mendelowitz explained that a determination may be six or more weeks away. The hiring process is complex.

Executive Director Garrison asked for the hiring policy for the replacement of this position. Mrs. Mendelowitz advised that Dr. Sweeting will make the recommendation as to a new hire. She will check to see if the medical staff office and/or human resources have a policy for new hires.

Dr. Breyer commented that the pattern we have been seeing at BRMC when there is a vacancy is that the position is permanently eliminated and the work divided among other workers. Dr. Breyer hopes that he is not correct in his assessment of the situation. Mrs. Mendelowitz' advised that the doctor who left the position did so abruptly so Dr. Breyer's opinion is just conjecture. Commissioner Trawinski has learned that over the years he trusts the opinions of his professionals. Further, he would be more secure if information were more forthcoming and sad that money will be spent on litigation.

Regulatory compliance:

- LTC – March 10 – The Ombudsman visited on two complaints – we received two letters this week that confirmed there were no findings.
- LTC – April 15 – at 5PM two DOH surveyors arrived on a complaint visit. They toured 5 units, reviewed four medical records, conducted staff and resident interviews, reviewed staffing and observed medication pass. They also reviewed complaints about pain management and skin rashes. They exited at 9:20PM, there were no issues identified.
- LTC – May 4 – the Ombudsman visited on a letter send regarding a financial matter. There were no issues identified.

Compliance Report

Mr. Tomkins mentioned that the compliance committee met last week and asked him to track the Hospital statistical data that has been given to Dr. Breyer to verify that we can reconcile the

payroll back to the statistics. He contacted BRMC's CFO who will give us whatever we need to prepare this analysis.

Urban Health Report

Dr. Breyer provided a report which compared Staffing Data of County Owned Nursing Homes. This analysis uses the same information to perform three (3) comparison—the first sorted by Total Licensed Staff Minutes; the second sorted by RN Minutes; and the third sorted by Total Minutes. All three analyses show that BRMC rates in the middle to lower level of the participating facilities in all scenario. This report will be discussed in the Long Term Care Subcommittee Meeting. Commissioner D'Arminio asked if there was going to be a recommendation that comes out of this report. Dr. Breyer advised that this matter was addressed in Counsel Shahdanian letter to the hospital.

Deputy Executive Director's Report

Executive Director Raguseo met with the hospital management to discuss the staff complaint form which was discussed at the COB Meeting to deal with patient safety and quality care. Hospital management agreed to use an existing hospital form with a few minor updates. This form will be presented to the COB Committee for review and approval at the next meeting.

Mr. Raguseo also gave an overview of resolutions on tonight's agenda concerning emergency work for several water main breaks and for emergency tunnel shoring. The invoicing associated with these emergency repairs was approved at our last meeting. In addition, we are awarding contracts for BRMC Building 6 and 8 Sprinkler System to Landmark Fire Protection and Building 10 Tunnel Repair Project to Louis Gargiulo Company. This latter contract award includes as an alternate Building 5 Tunnel Repair.

Commissioner Trawinski stated that since Mr. Peck advised the BCIA that the hospital was insufficiently staffed on Easter Sunday, that we should ascertain from the hospital what measures they are taking to ensure that the hospital is properly staffed on Mother's Day which is only a few days away. To this end, Commissioner Trawinski asked for Mr. Garrison or Mr. Raguseo to contact the hospital to express our concern.

Action Items:

- Executive Director Garrison to provide feedback/analysis concerning fees associated with BCIA bonding.
- Deputy Executive Director Raguseo to inform Board if staff complaint form had been accepted by the COB Committee.
- Commissioner Trawinski asked for the BCIA through Mr. Garrison or Mr. Raguseo to express our concerns with BRMC that we are concerned with the level of Staffing being satisfactory on Mother's Day.
- Executive Director Garrison asked Mrs. Mendelowitz for:
 - medical staff/human resources for procedure/policy for hiring new doctor in behavior health

- for procedure/policy for any personnel replacement, if any. **(generated from 4/7/11 work session)**
- BRMC - Medical liaison in Behavior Health replacement to be in place within thirty (30) days of our April 7, 2011 meeting. **(generated from 4/7/11 work session)**
- General Counsel Shahdanian to research/render a advisory opinion whether conflict of interest exists with Commissioner D'Arminio status on the BCIA Board considering that BCIA's Executive Director Robert Garrison is also the Acting Director of the Department of Planning and Economic Development and that Commissioner D'Arminio's firm has client matters before the County Planning Board. **(generated from 3/3/11 work session)** Mr. Shahdanian advised that his office will provide response shortly

Adjournment

There being no further business, motion was made by Commissioner Visotcky and seconded by Commissioner D'Arminio to close the Work Session at 6:19 p.m. Motion was carried unanimously.