

South Portland City Council  
***Position Paper of the City Manager***

***Subject:***

**ORDER #58-17/18 – Appointing a Health Officer for a 3-year term, which will expire on October 2, 2020. Passage requires majority vote.**

***Position:***

State statute, 22 M.R.S.A. §451, requires that the municipal officers appoint a local health officer, provides that the health officer's term is three years, and requires notification of the appointed health officer be sent to the Department of Human Services. In the absence of a duly appointed health officer, the chairman of the municipal officers (i.e. the mayor) serves as health officer. The health officer acts as a local agent of the Department of Human Services' Bureau of Health. Duties involve the "reporting, prevention and suppression of diseases and conditions dangerous to health."

The current health officer, Steve Fox, recently submitted his resignation. The City posted the position internally and interviewed several candidates. Based on the recommendation of this review team, I recommend appointing Joshua Pobrislo as the City's Local Health Officer. Compensation: Annual stipend of \$1,800.

I further recommend appointing City Safety Coordinator Louis Cavallaro to act as alternate local health officer in the event of incapacity or absence of the appointed local health officer. Compensation: Annual stipend of \$250.

***Requested Action:***

Council passage of ORDER #58-17/18.

  
\_\_\_\_\_  
City Manager

**Side Letter Agreement  
Between the  
City of South Portland  
and the  
South Portland Firefighters, IAFF Local #1476**

The City of South Portland, herein referred as the "City", and the South Portland Firefighters, IAFF Local 1476, herein referred as the "Union", enters into the following agreement regarding the South Portland Local Health Officer ("LHO") position.

The City wishes to appoint Firefighter Joshua Pobrislo as the City of South Portland Local Health Officer ("LHO") for a three (3)-year term, effective October 2, 2017 through October 2, 2020.

The Local Health Officer ("LHO") position is required by Maine State law. The Local Health Officer ("LHO") acts as a local agent of the Maine Department of Health and Human Services Bureau of Health, in planning for and responding to major local health emergencies and disease outbreaks. The "LHO" is responsible for performing other duties as required by Maine State Statute, 22 M.R.S.A. §451, including but not limited to, dealing with dwellings deemed to be unfit for habitation and other situations involving a risk to public health, such as mold, head lice, hoarding, and bed bugs.

Compensation will be a \$1,800.00 annual stipend to be paid out in weekly payroll installments; \$34.62 per week, minus applicable state and federal withholdings.

This agreement is in effect at signing, and shall continue until either a new Local Health Officer is appointed by the City Council, or until Joshua Pobrislo tenders his resignation from the "LHO" position, with fifteen (15) days advance written notice to the City.

The City and Union agree this is a non-precedent setting agreement, and the Local Health Officer position is not a Union position.

Signed and agreed to by the parties:

9/27/17  
Date:

09-27-2017  
Date:

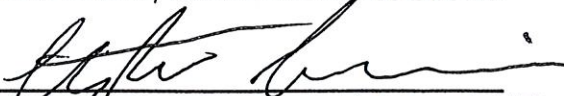
09-26-17  
Date:

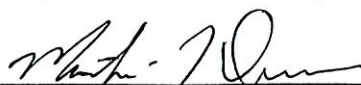
9/26/17  
Date:

9/26/17

  
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Scott Morelli, City Manager

  
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Don Brewer, Human Resources Director

  
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Stephen Simonson, Pres., IAFF Local 1476

  
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Matt Duross, Vice, Pres., IAFF Local 1476

  
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CITY OF SOUTH PORTLAND

PATRICIA A. SMITH  
Mayor

SCOTT T. MORELLI  
City Manager

SALLY J. DAGGETT  
Jensen Baird Gardner & Henry

EMILY F. SCULLY  
City Clerk

**IN CITY COUNCIL  
ORDER #58-17/18**

District One  
CLAUDE V. Z. MORGAN

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District Two  
PATRICIA A. SMITH

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District Three  
EBEN C. ROSE

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District Four  
LINDA C. COHEN

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District Five  
BRAD FOX

\_\_\_\_\_

At Large  
MAXINE R. BEECHER

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At Large  
SUSAN J. HENDERSON

**ORDERED**, that pursuant to 22 M.R.S.A. §451, the South Portland City Council hereby appoints Joshua Pobrislo as the City of South Portland's Health Officer for a term of three years commencing October 2, 2017; and

**BE IT FURTHER ORDERED**, that the yearly stipend for the Health Officer shall be as stated in the attached Memorandum of Understanding Between the City of South Portland and the South Portland Firefighters IAFF Local 1476 Unit; and

**BE IT FURTHER ORDERED**, that Louis Cavallaro is appointed as Alternate Health Officer; and

**BE IT FURTHER ORDERED**, that the City Clerk shall notify the Maine Department of Human Services within ten days that Joshua Pobrislo is the duly appointed Health Officer for the City of South Portland, which notification shall include Mr. Pobrislo's age, address, date of appointment and the date of commencement of his three-year term as Health Officer.

Fiscal Note: \$1,800 yearly stipend plus call-out pay

Dated: October 2, 2017