

NORTH ATTLEBORO BOARD OF HEALTH

Meeting Minutes of  
May 24, 2007 6:00 pm

In attendance: Don Bates, Chairman; John Donohue, Jr., Member; Susan Shaw, Member and Robert Davis, Agent

Visitors: No visitors

Chairman Bates opened the meeting at 6:00 PM.

**APPROVAL OF MINUTES:**

**MOTION** made by Ms. Shaw to table the minutes of May 7, 2007 for she would like to listen to the tape of the meeting. Mr. Bates seconded. No further discussion, all in favor, motion passes 2-1 with Mr. Donohue opposed.

**CUSHMAN ROAD PRELIMINARY SUBDIVISION PLAN:**

Ms. Shaw asked if the office had received the definitive plan for the subdivision on Cushman Road because Mill River Consulting had only the preliminary plans to use for their review for perc testing. The office had not received the definitive plan of the subdivision on Cushman Road.

**LICENSES:**

**MOTION** made by Mr. Donohue to grant a Tobacco permit for Cleopatra's Souvenir at 19 South Washington Street, No. Attleboro, contingent upon the applicant producing a Massachusetts Department of Revenue license to sell tobacco. Ms. Shaw seconded. Limited discussion followed, all in favor, motion passes 3-0.

**LETTERS:**

Town Counsel, Roger Ferris had received a letter from attorney David Gay with respect to the fluoridation lawsuit advising that because of the other suit on behalf of the "Citizens of Town of North Attleboro", he has not yet dismissed the original suit for the Board of Health on fluoridation. Ms. Shaw thinks that the "Citizens" group may be stepping forward in replacement of the Board of Health in the suit against the Department of Public Works for not removing the fluoride from the town's water supply, but no one had more details on the group or their intentions. Mr. Davis was asked to call Attorney Gay to see if a court appearance for the Board on Tuesday, May 29<sup>th</sup> was still necessary and whether any part of its case will go forward that day.

**INTERSHIP:**

The Massachusetts Department of Public Health has advised Mr. Davis that it will not be placing a public health summer intern with the Department this year after all. By coincidence however, an Austin Peay University (TN) public health student came in to ask Mr. Davis if she can complete her required internship in the Department this summer. Ms. Shonda Rowe is a mother of 3 now living in Rhode Island but with North Attleboro roots. Given a copy of the internship project proposed to the MDPH program, and told that there can be no stipend whatsoever to support her, Ms. Rowe nonetheless remained interested and anxious to know if the Board would allow her to complete her degree requirements with us.

**MOTION** made by Mr. Bates to accept Ms. Shonda Rowe for a five week public health internship in the Department, beginning at her earliest opportunity and extending into August. Mr. Donohue seconded. Some discussion, all in favor, motion passes 3-0.

**TOWN MEETING ARTICLES:**

The Board discussed disappointment with the response received by two of its Members at the Representative Town Meeting the evening before. The RTM voted to reject outright the Board's request to establish a health department Fund for Fines and Forfeitures, and the moderator refused to allow RTM consideration for renewal of the revolving fund articles for the Town Emergency Fund (in active use since 1993) and the Flu Clinic Fund (first established in 2005). When the Town Accountant told the body that those Revolving Funds do not exist, the moderator immediately ruled the two renewal articles out of order and refused to allow any further discussion. Members will work with Judy Robbins, the Town accountant and others before next Wednesday's Town Meeting to see if the two fund renewals should be reconsidered.

**HICKORY WOODS:**

The Members received the proposal requested of Dan Ottenheimer from Mill River Consulting to review the next phase of Hickory Woods work towards a final solution of the many problems there. Mill River is proposing to review a fraction of the Hickory Woods properties for \$37,500, but no time table was included in the proposal. Within the cost proposed, water samples would be taken in up to eight locations and up to five sites could be evaluated with excavation of test pits, etc. in order to compile the information needed to locate drainage structures and determine if there are any conflicts with leaching systems.

**RECESS:**

Mr. Bates called a recess at 6:45 pm in order that the Members could meet with the Selectmen to update them on Hickory Woods. Immediately following, Mr. Bates reopened the Board of Health meeting at 7:15 pm.

**NAIL REGULATIONS:**

Changes to the last draft of a proposed nail salon regulation have been made and a letter has been sent to thirty-three nail salon owners in North Attleboro. The proposed regulation has also been posted on the Town's web site. The letter asks nail salon owners for their comments on the regulation and has invited them to the June 11, 2007 Board of Health meeting at 6:30 PM to discuss them in person.

**RETENTION PONDS:**

Dan Campbell of the Level Design Group has sent the Members some informational material on retention ponds. In limited discussion, Members felt the Board should have some answers on who would own such retention ponds and who would be paying to keep them maintained and clean.

**LEWICKI/PLAIN STREET PROPERTY ISSUES:**

Mr. Davis has received a letter from an attorney for the State Plumbing Board who tried to change the Board of Health's decision by default (i.e. no reply in 5 days would constitute the Board's agreement to do something entirely different than it had voted on in January). A response was returned to that attorney that same day making it clear that the Board would not accept anything other than the conditions the Board had actually voted on.

**HEALTH AND HOMELAND ALERT NETWORK (HHAN):**

Members were reminded that an invitation to individual Board Members should be forthcoming to sign onto the HHAN program and begin receiving its public health alerts.

**SEPTIC REVIEW PROGRAM:**

As part of a DPW program with a consulting engineering firm to find out what part of the town would be next be in line for town sewer, an intern from that firm has been working in the health department office going through 100% of the septic plans on file and putting selective data from them into electronic format for further analysis.

**COMPLAINTS:**

The Members noted and reviewed all the complaints in the Complaint Log, but highlighted the following in particular for more discussion:

180 Commonwealth Avenue

967 Longview Drive

145 Broad Street

11 Summer Street

Town Counsel is in pursuit of the violations at the above four locations and has begun filing the necessary paperwork to bring them into compliance through the district court system.

23 Sumner Street

Written acknowledgement from the prospective buyer of this property has been received that the violations at this address need to be corrected before the premises can be reoccupied. Once the violations are corrected, another inspection will be needed before it is occupied.

537 North Washington Street

The apartment remains vacant and ongoing work is visible there indicating foundation work continues in the yard.

214 East Street

There are numerous housing issues with this property and the property owner has requested a hearing with the Board which has been scheduled for June 11, 2007.

**CHRISTINA ESTATES:**

Discussion ensued with respect to redoing perc tests in Christina Estates because the perc testing on record took place so long ago. The Members agreed information should be gathered to see how many perc tests have been done there and how old they really are.

**ADJOURN:**

**MOTION** made by Mr. Donohue to adjourn the meeting at 8:05 PM. Seconded: Ms. Shaw. Motion passes 3-0.

True Record Attest: \_\_\_\_\_