

NORTH ATTLEBORO BOARD OF HEALTH

Meeting Minutes of
May 7, 2007 6:30 pm

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

Visitors: John Rufo and Bill Romanicki (25-27 Dodge Avenue)

Chairman Bates opened the meeting at 6:30 PM.

COMPLAINTS:

25-27 Dodge Avenue

John Rufo came before the Board and identified himself as the property owner present to discuss the complaint on his overflowing cesspool. He has been pumping it once a month since and wants to tie into the town sewer line rather than install a new septic system. In discussion, he asked the Board for more time to determine whether he can connect the property to the town sewer or not.

MOTION made by Mr. Bates to allow Mr. Rufo a 30 day extension until June 16 to decide whether the upgrade will be a new septic system or a tie-in to the town sewer. Mr. Donohue seconded. Some discussion, but no vote was taken.

MOTION made by Mr. Donohue to amend the previous motion by changing June 16 to the Board of Health meeting of June 25, 2007. Mr. Bates accepted the amendment and seconded this motion. No further discussion, all in favor, motion passes 3-0.

APPROVAL OF MINUTES:

MOTION made by Ms. Shaw to accept the verbatim minutes of July 17, 2006. Mr. Bates seconded. No further discussion, all in favor, motion passes 2-0.

MOTION made by Ms. Shaw to accept the minutes of March 26, 2007. Mr. Bates seconded. No further discussion, all in favor, motion passes 2-0.

MOTION made by Mr. Donohue to accept the minutes of April 9, 2007 after changing the installer license motion from "fails" to "passes". Mr. Bates seconded. Some discussion, all in favor, motion passes 3-0.

MOTION made by Mr. Donohue to accept the minutes of April 23, 2007. Ms. Shaw seconded. No further discussion, all in favor, motion passes 3-0.

HEALTH AGENT'S MONTHLY REPORT FOR MARCH 2007 AND APRIL 2007:

Agent Rob Casper reviewed two months of reports with the Members and answered questions about them.

MOTION made by Mr. Donohue to accept the Health Agent's Monthly Report for March 2007. Ms. Shaw seconded. No further discussion, all in favor, motion passes 3-0.

MOTION made by Mr. Donohue to accept the Health Agent's Monthly Report for April 2007. Ms. Shaw seconded. No further discussion, all in favor, motion passes 3-0.

Mr. Casper also discussed the Hickory Woods ground water sample he had taken at 1 Jon C. Barry Drive in with the Members.

LICENSES:

MOTION made by Mr. Donohue to grant a Retail Food license for Jo-Ann’s Fabric at 1360 South Washington Street, No. Attleboro. Ms. Shaw seconded. Some discussion, all in favor, motion passes 3-0.

MOTION made by Ms. Shaw to grant the Temporary Food license for the American Cancer Society/Relay for Life on June 8th & 9th, 2007 at the No. Attleboro High School. Mr. Donohue seconded. No further discussion, all in favor, motion passes 3-0.

MOTION made by Ms. Shaw to grant a Massage Establishment license for Karleen Kenney at 1 Kevin Street, No. Attleboro. Mr. Donohue seconded. Some discussion, all in favor, motion passes 3-0.

SERVSAFE FOOD MANAGER CERTIFICATES:

A list of licensed food establishments with their ServSafe certifications and expiration dates was presented to the Board. The Health Department has started making calls to bring the list current and Mr. Donohue offered to assist by contacting establishments himself that don’t have current certificates. A letter will be drafted to remind establishments that they need to keep their ServSafe food manager certificates updated.

TOWN COUNSEL:

Hickory Woods

Town Counsel reviewed and approved drafts of letters to be mailed to Dan Ottenheimer, Cedar Ridge and forty-five Hickory Woods property owners to further address the problems in that subdivision. Mr. Bates signed each letter. On behalf of Mill River Consulting, Mr. Ottenheimer has advised that he is indeed interested in submitting a proposal for reviewing as-built foundation drains and as-built septic systems there, and conduct such field testing as may be necessary. Members agreed that because time will be of the essence, the Mill River proposal should include a fixed end date.

Complaint Noncompliance

Mr. Davis reported addressing the issues of noncompliant property owners in the complaint log with Town Counsel. Mr. Ferris has suggested that he address the worst of these himself, taking them to court if necessary. Mr. Davis has identified 4 of these cases for Counsel to pursue and has asked if he can follow them through the Court with him.

Lewicki/Plain Street variance

Reportedly, the State Plumbing Board has been trying to put monitoring requirements on the Building Department to review the drain variance on the Lewicki Plain Street property previously approved by the Board of Health. Mr. Ferris has asked to review a copy of Lewicki’s Hazardous Management Plan presented to the Board of Health and made part of its approval in January. Mr. Davis also advised that an attorney for Boro Sand and Gravel has responded to the Board’s request for their Hazardous Management Plan and promises to submit same very soon.

OLD BUSINESS:

Nail Salon Regulations

Members discussed the current draft of a nail salon regulation for the Town. In it, nail salon establishments and the individual manicurists will need to be licensed with the Board of Health. In discussion, it was agreed that the Board should invite the existing establishments and manicurists to a future meeting to provide the Board with their input on the new regulation before it is finalized.

MOTION made by Mr. Bates to hold a public meeting on the draft Nail Salon Regulations on June 11, 2007. Mr. Donohue seconded. Some further discussion, all in favor, motion passes 3-0.

In the discussion that continued, it was agreed that all nail establishments known to be operating in Town should be contacted within two weeks time and advised of the Board's plans. The Board also considered what kind of grandfathering the Board should allow so that those changes could be incorporated in the regulation draft. It was agreed that existing nail salons that don't have an air handling system should be given 18 months to comply with ventilation requirements and that all new nail salons applying for permits after these regulations are adopted comply fully. Manicuring student-trainees will not be required to be permitted by the Board of Health if the manicuring work is part of their supervised studies.

Septic System Inspector test

Mr. Davis advised that he will retake the septic system inspector's test when it is rescheduled.

Retention Ponds

Mr. Bates expressed concern that surface water designed to drain into a designated retention pond on private property may not be maintained. In discussion, it was agreed that DPW should be funded to do these types of inspections and that community retention ponds should not be designed onto on a privately held house lot. Mr. Donohue offered to contact Dan Campbell, Level One Design engineer to get copies of sample regulations and other materials he has on retention ponds.

Engineer firm for perc & septic review

Mill River has declared its interest in completing perc test and other work as a consultant to the Health Department and has agreed to complete the four-lot project recently requested by Whalen Engineering.

Articles for Town Meeting

The Board has been notified that the Finance Committee has rejected four of the five Board of Health articles it submitted for town meeting, including both of the revolving fund renewal requests without giving a reason. Mr. Bates and Mr. Davis had met earlier that day with the Town Accountant and Acting Town Administrator to discuss that action and were told that the non-criminal bylaw change requested needs to be in place before the Board could request a revolving fund in conjunction with it. The revolving fund requested for the fines to be generated due to non-criminal violations can be resubmitted this Fall. The FINCOM is supporting the Board's bylaw article for expanded use of Non-criminal ticket violations.

ADJOURN:

MOTION made by Mr. Donohue to adjourn the meeting at 8:47 PM. Seconded: Ms. Shaw. Motion passes 3-0.

True Record Attest: _____