

NORTH ATTLEBORO BOARD OF HEALTH

Meeting Minutes of  
November 13, 2007 6:30 pm

In attendance: Don Bates, Chairman; John Donohue JR., Member; Susan Shaw, Member; Anne Marie Fleming, Public Health Nurse and Rob Casper and Robert Davis, Agents.

Visitors: Debra & Paul Conley (Massage Therapist & Massage Establishment); William Sarro, Manager, Fresh Catch Seafood, and Sue & Bob Lincoln with Attorney Michael Duggan (50 Sheldonville Road).

The Chairman opened the meeting at 6:30 PM.

**LICENSES:**

Debra Conley appeared and answered the Members' questions with respect to her requests for both a Massage Therapist and a Massage Establishment license.

**MOTION** made by Mr. Donohue to grant Debra Conley a Massage Therapist. Ms. Shaw seconded. Some discussion, all in favor, motion passes 3-0.

**MOTION** made by Mr. Donohue to grant Debra Conley a Massage Establishment license at 63 North Washington Street. Ms. Shaw seconded. Some discussion, all in favor, motion passes 3-0.

William Sarro appeared to request a Retail Food, Food Service, Milk & Cream and Catering license with respect to his Fresh Catch Seafood business planned for 473 East Washington Street.

**MOTION** made by Mr. Donohue to grant Fresh Catch a Retail Food, Food Service, Milk & Cream and Catering license. Ms. Shaw seconded. Following more discussion, all in favor, motion passes 3-0.

**HEARING REQUEST:**

50 Sheldonville Road

Mr. & Mrs. Lincoln and their Attorney, Michael Duggan requested a hearing to come before the Board for a violation of sanitary code 105CMR 410.602(A) found at 50 Sheldonville Road concerning trash, rubbish and other debris on the property. Mr. Davis explained that he conducted an inspection, gave notice of the violations found to the Lincolns', and allowed them one week to correct the violations. Discussion ensued.

**MOTION** made by Mr. Bates that the Board delay its decision on the notice to correct all the alleged violations within the time allowed if the owner will remove what items he can, organize the remainder neatly and under cover and break the large brush pile cited down into smaller piles within the next five or six days, and thereafter to revisit the notice to correct at the November 26<sup>th</sup> Board meeting if any violations still exist. Mr. Donohue seconded. After some additional discussion, all in favor, motion passes 3-0. After the motion, Mr. Bates also requested that the owner provide the Board with a copy of burning permit from the Fire Department.

**RECESS:**

The Board took a five minute break at 7:25PM.

**HEALTH AGENT'S MONTHLY REPORT FOR OCTOBER:**

Mr. Casper presented his Health Agent's report for the month of October and answered the Members' questions.

**MOTION** made by Mr. Donohue to accept the Health Agent's Monthly Report for October 2007. Ms. Shaw seconded. Some additional discussion, all in favor, motion passes 3-0.

After discussing a variety of issues, Mr. Casper reported on a recent development involving Christina Estates with respect to the Developer's desire to redraw several property lines within the subdivision. Mr. Casper also described attending an interesting seminar on the new White Knight Treatment System & Aquawork by Infiltrator, and the Chairman suggested that the speaker be invited to make a presentation on this new septic system to the Board at an upcoming Board meeting.

**HEALTH NURSE'S MONTHLY REPORT FOR OCTOBER:**

Ms. Fleming presented her Health Nurse's report for the month of October and answered the Members' questions.

**MOTION** made by Mr. Donohue to accept the Health Nurse's Monthly Report for October 2007. Ms. Shaw seconded. Some discussion, all in favor, motion passes 3-0.

**MINUTES:**

**MOTION** made by Mr. Donohue to accept the minutes of October 29, 2007. Ms. Shaw seconded. No discussion, all in favor, motion passes 3-0.

**COMPLAINT:**

65 Fisher Street

Mr. Davis reported that the owner of this property had previously requested and been granted a hearing before the Board this evening, but called to leave a message at 3:55 PM today that he had yet to receive a cost estimate to correct one of the violations listed, the installation of an electrically operated door, and thus would not be appearing this evening. He did report that he had been diligent making all the other corrections cited, however.

**MOTION** made by Mr. Donohue that the Board sustain all the violations cited for 65 Fisher Street except for the electronic door, and reconsider that violation at the next meeting. Ms. Shaw seconded. Some additional discussion, all in favor, motion passes 3-0.

**LICENSE:**

No appearance was made on behalf of a new residential kitchen license for the John Wesley A.M.E. Zion Church.

**MOTION** made by Mr. Donohue to table action on the Residential Kitchen license for John Wesley A.M.E. Zion Church at 32 Broad Street. Ms. Shaw seconded. Some discussion, all in favor, motion passes 3-0.

**OLD BUSINESS:**

Christina Estates

The Members discussed the developer's recent request to Rob Casper for more perc testing at Christina Estates, reportedly due to the need to redraw several of the property lines in the subdivision. Although Mr. Casper had asked the developer to submit a written request for the work they require, someone instead came to the office today with a pre-written check and a standard perc application.

**MOTION** made by Mr. Donohue that when the Board receives a letter from Tilton & Associates asking for property line relocations and associated perc testing for the new lots, that the work will be given to Mill River Consulting. Ms. Shaw seconded. Some discussion, all in favor, motion passes 3-0.

**MOTION** made by Mr. Bates that the record show that the Board decided upon Mill River Consulting for the new perc testing to be done for Christina Estates due to the numbers of tests required, why they were required, and in order to determine whether the new tests should be considered retesting or original testing under the circumstances. Mr. Donohue seconded. Some discussion, all in favor, motion passes 3-0.

**BEACH TESTING:**

Mr. Bates reported that he has scheduled a meeting with Mr. Davis, Marie Clarner and Shannon Doyle of the Conservation Commission to discuss beach testing policies and procedures.

**PERCOLATION TEST PERIOD:**

In 2006, the Board previously decided that there wouldn't be any perc tests done from August 31<sup>st</sup> to October 31<sup>st</sup> with the exception of emergency repair percs, but the exception was not included in the motion at the time.

**MOTION** made by Mr. Donohue to amend the motion of December 14, 2006 to read as follows: that the Board of Health establish an annual perc testing season for North Attleboro that will limit testing during the months of August and September to those perc tests required to upgrade a failed subsurface sewerage disposal system. Ms. Shaw seconded. Some discussion, all in favor, motion passes 3-0.

**CERTIFIED FOOD PROTECTION MANAGER REQUIREMENTS:**

Mr. Davis had spoken to Cindy Rice of the Eastern Massachusetts Food Safety and she is willing to work with the Board and offer food protection manager courses locally.

**MOTION** made by Mr. Donohue to require that all food service establishments have at least one person on duty during all hours of operation at their establishment serve safe certified by May 15, 2008. Ms. Shaw seconded. Some discussion, all in favor, motion passes 3-0.

**COMPLAINT LOG:**

The Members reviewed every meeting in the active complaint log, including:

967 Longview Drive

Despite the owner's promises that the family would finish the cleanup of 967 Longview Drive, the only cleanup done so far has been done by the Town, and the homeowner has yet to pay that bill.

### Lowe's

Neighbors have been complaining about some early morning machine noise from the area where Lowe's is located, possibly from an emergency generator. Mr. Davis intends to send a letter to all the businesses in the area in an effort to pinpoint the source of the noise and address it.

### **NEW BUSINESS:**

#### FY09 Budget

Mr. Davis has submitted preliminary figures for the department's FY09 budget and is due to meet with the Town Administrator on November 21<sup>st</sup> to review them for the first time. Those preliminary figures will be e-mailed to the Members and the Board will discuss them further at their November 26<sup>th</sup> meeting.

#### Truck Tire Slashing

Mr. Davis reported that eleven tires on Town vehicles were slashed in the Town Hall parking lot one night recently, including one of the tires on the Board of Health truck. As a result, the Town Administrator has made arrangements to lock as many Town vehicles as possible, including the Board of Health truck, in a fenced in area behind Town Hall.

### **MEETINGS:**

The Members agreed that there should be only one meeting next month to be held on Monday, December 10, 2007 at 6:30 PM at the North Attleborough Electric Department. At the same time, the Members set the Board's meetings in January for Monday the 7<sup>th</sup> and Monday the 28<sup>th</sup>, with both to be held at 6:30 PM in the North Attleborough Electric Department.

### **OTHER:**

Mr. Davis reminded the Members of the MAHB's upcoming annual certification meeting for Board of Health members to be held on Saturday, November 17<sup>th</sup> in Taunton. \$90 registrations have been made and paid for through emergency preparedness training funds.

### **ADJOURN:**

**MOTION** made by Mr. Donohue to adjourn the meeting at 9:07 PM. Seconded by Ms. Shaw. No discussion, motion passes 3-0