

NORTH ATTLEBORO BOARD OF HEALTH

Meeting Minutes of
July 30, 2007 6:30 pm

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

Visitors: Anne Marie Dubeau (39 Colburn Street), Beth Ann Ultsch (51 Huntley Road), Catherine O'Brien (13 Sunset Avenue, W. Bridgewater), Debra Hayward (214 East Street), Christopher Crowley (136 Orne Street)

Mr. Bates opened the meeting at 6:33 PM and entertained a motion to go into Executive Session to discuss housing violation litigation with Town Counsel, Roger Ferris.

MOTION made by Mr. Donohue to enter Executive Session to discuss litigation at 6:35 PM. Ms. Shaw seconded. No discussion, roll-call vote: Mr. Donohue Yes; Ms. Shaw Yes; Mr. Bates Yes; motion passes 3-0.

The Chairman reopened the meeting at 7:23 PM and chose to take the issues of everyone whose appearance had been delayed by the executive session out of order.

LICENSE APPEARANCES:

Ms. Catherine O'Brien appeared before the Board to present her credentials for a massage therapist's license and answer the Members' questions.

MOTION made by Ms. Shaw to grant a Massage Therapist license to Catherine O'Brien of 13 Sunset Ave., West Bridgewater to work at The Right Touch Day Spa. Mr. Donohue seconded. Some further discussion, all in favor, motion passes 3-0.

Ms. Beth Ann Ultsch appeared before the Board to present her credentials for a massage therapist's license and answer the Members' questions.

MOTION made by Ms. Shaw to grant a Massage Establishment license to Beth Ann Ultsch of 51 Huntley Road, North Attleboro to provide mobile massage services house to house. Mr. Donohue seconded. After further discussion of mobile massage service, all in favor, motion passes 3-0.

COMPLAINT APPEARANCES:

39 Colburn Street

Ms. AnneMarie Dubeau introduced herself as the tenant in this case and advised the Board that the owner, David White, who had been waiting for the executive session to end, decided to leave before making an appearance. Members discussed the complaint and Ms. Dubeau answered their questions about the violations cited.

MOTION made by Mr. Donohue to sustain the complaints in their entirety and to modify the time to complete the locks, window screen and smoke/CO detector complaints to be completed in 5 days. Mr. Bates seconded. After some further discussion with respect to the owner's departure prior to the hearing he requested, all in favor, motion passes 3-0.

214 East Street

Presenting a letter to Mr. Davis and the Board, Ms. Debra Hayward, property owner, made an unscheduled appearance to further discuss resolution of this complaint with the Members. A scheduled re-inspection of the property had been postponed last week because two of the violations were admittedly not yet corrected and Mr. Davis suggested she appeal to the Board for consideration under the circumstances. At the meeting, she presented that day's correspondence from a MA licensed contractor indicating there were no lead paint issues at the property, but the same contractor could not test for asbestos, so Ms. Hayward was in the process of making other arrangements for that. In addition, she reported that the tenant was due to vacate the property the following day and that she intended to move into the property herself once all repairs were made. Considerable discussion ensued and Ms. Hayward answered the Members' questions

MOTION made by Mr. Bates to sustain the violations cited but waive the time requirements to complete the outstanding violations, subject to the premises not being occupied again until all violations cited have been corrected and subsequently verified by reinspection. Mr. Donohue seconded. After additional discussion, all in favor, motion passes 3-0.

APPROVAL OF MINUTES:

MOTION made by Mr. Donohue to table the minutes of June 25, 2007. Ms. Shaw seconded. Some discussion, motion passes 2-1, Mr. Bates abstaining. Mr. Davis will review the section of the meeting's tape regarding engineers.

MOTION made by Mr. Donohue to accept the minutes for July 9, 2007. Ms. Shaw seconded. Some discussion, all in favor, motion passes 3-0.

HEALTH AGENT'S MONTHLY REPORT FOR JUNE 2007:

MOTION made by Mr. Donohue to table the Health Agent's Report for June until the next meeting. Ms. Shaw seconded. Some discussion, all in favor, motion passes 3-0.

LICENSES:

MOTION made by Mr. Bates to table a Massage Therapist license for Sonia Hendrickson until the next Board meeting to give her one more chance to appear before the Board. Mr. Donohue seconded. Some discussion, all in favor, motion passes 3-0.

MOTION made by Mr. Donohue to table a Disposal Works Installer license for Karl Drown until the next meeting due to follow recommendations of the Ethics Commission. Ms. Shaw seconded. Some discussion, all in favor, motion passes 3-0.

MOTION made by Mr. Donohue to grant a Temporary Food license for Lowe's. Ms. Shaw seconded. Some discussion, all in favor, motion passes 3-0.

MOTION made by Mr. Donohue to grant a Temporary Food license for Little North Attleboro League. Ms. Shaw seconded. Some discussion, all in favor, motion passes 3-0.

Members suggested letters be sent to Lowe's, the Little North Attleboro League and other organizations that similarly request temporary licenses for recurring events on short notice. The organizations should be advised to submit their temporary food applications into the office a month before their event.

LETTERS:

In response to the first notice of the upcoming semi-annual town meeting and its reminder to have any articles submitted by August 20th, the Members discussed resubmitting the Board's articles that had been rejected by the RTM last spring. The Members agreed that the Board should wait until the new Town Administrator comes on board August 1st to discuss doing so.

Town Emergency Fund

For the month of July nothing has been deposited or spent from the Town Emergency Fund and the previous balance from FY07 will be carried over.

HICKORY WOODS:

The Members were advised that the Selectmen have instructed incoming Town Administrator Mark Fisher to make Hickory Woods one of his top priorities.

BY-LAW ARTICLE:

Notice has been received from the Town Clerk that the Attorney General's office has given final approval for the non-criminal disposition by-law change requested by the Board. In discussing its first possible application, Mr. Davis reported that the Police Department recommended getting Town Counsel's advice before proceeding to issue the first non-crim ticket.

DEPARTMENTAL JOB DESCRIPTIONS:

At the request of the Human Resource Director, departmental job descriptions were reviewed and revised in February and submitted to the Personnel Department. However, the job descriptions returned to each department last week were labeled "final" versions and did not include all the changes previously approved by the Board. The Health Agent's job description had not changed at all. Because the descriptions were also to be used to score jobs for pay purposes under the Town's new contract with the management union, Mr. Davis deferred correction of the error to the Board for resolution.

SMART GROWTH PRESENTATION:

Ms. Shaw reported on a Fall meeting she attended and continuing research on Smart Growth and its potential benefit to North Attleboro. Members discussed the concept and its applicability to the Town at this time and agreed that they should present the Smart Growth concept to the new Town Administrator for his serious consideration as a potential solution to our development problems.

BOARD OF HEALTH TRUCK:

Upon the recent discovery of possible brake fluids puddling under the Board of Health truck, the Department of Public Works has removed it to the Town garage to do more work on it. The age and condition of the vehicle render it questionably safe and seldom used. Unless the truck absolutely has to be used because of the situation, Mr. Davis, Mr. Casper, Ms. Fleming and both part-time nurses all use their own, personal vehicles for Town business. With these most recent repairs indicative of more problems to come, Mr. Davis is anxious to apply the CIP funds earmarked for a new replacement truck to obtain two used vehicles at auction, and at less cost, in order to provide the agents and nurses with reliable Town vehicles to use to do their jobs. Mr. Bates wants the Board to push for CIP approval at the Semi-Annual Town Meeting to finally replace its aging truck with safe, functional vehicles. Mr. Davis will begin to prepare some information and justification on the replacements needed.

COMPLAINT LOG:

537 N. Washington Street

A reinspection will be needed to close this complaint.

25-27 Dodge Avenue

The office is waiting for septic system plans to be submitted.

180 Commonwealth Avenue

This owner canceled the perc tests scheduled for a system upgrade at this property and has not rescheduled. The cesspools are being pumped regularly in the interim.

106 Stanley Street

A reinspection will be needed to close this rubbish complaint.

55 Moran Street

Plans have yet to be submitted for a septic upgrade, but the cesspool is being pumped regularly in the interim.

60 Barbara Road

Ms. Shaw reported speaking with this owner who confirmed she had received the notice to correct but would have liked a courtesy phone call before getting a letter. A reinspection will be needed and Mr. Davis explained the value of a standardized letter being unequivocal while creating a record at the same time.

MEETINGS:

The September Board meetings will be September 10 and September 24, 2007, at 6:30 PM at the North Attleboro Electric Department.

ADJOURN:

MOTION made by Mr. Donohue to adjourn the meeting at 9:16 PM. Seconded by Ms. Shaw. No discussion, motion passes 3-0.