

NORTH ATTLEBORO BOARD OF HEALTH

Meeting Minutes of
July 9, 2007 6:30 pm

In attendance: Don Bates, Chairman; John Donohue Jr., Member; Susan Shaw, Member; Anne Marie Fleming, Public Health Nurse and Robert Davis, Agent

Visitors: Peter and John Kazis and Mr. Nicholas Lykourgos, (208 Park Street)

Mr. Bates opened the meeting at 6:30 PM.

APPROVAL OF MINUTES:

MOTION made by Mr. Donohue to table the minutes of June 25, 2007. Ms. Shaw seconded. Some discussion, all in favor, motion passes 3-0.

HEALTH NURSE'S MONTHLY REPORT FOR JUNE 2007:

Public Health Nurse AnneMarie Fleming addressed the Board, presented her report and discussed its information with the Members.

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

COMPLAINTS:

208 Park Street

Peter Kazis, the owner of 208 Park Street reported having continued difficulty gaining access to tenant Lisa McNally's apartment to complete the repairs needed inside it. In the discussion that followed, Mr. Davis reported that Ms. McNally had called to advise she will be moving out as of July 11, 2007, which Mr. Kazis confirmed. With the apartment vacant, Mr. Kazis would be able to complete the repairs unimpeded by a tenant living there.

MOTION made by Mr. Bates that the violations be sustained with the understanding that the property owner be allowed to correct the apartment's violations at his own pace, contingent upon it not being reoccupied until all repairs necessary have been completed and the apartment reinspected by the Health Department. Mr. Donohue seconded. After some additional discussion followed, all in favor, motion passes 3-0.

Mr. Donohue noted that there was another complaint from the first floor apartment at 208 Park Street in process at this time and that he expected all violations cited at the property rectified as soon as possible.

RECESS:

Mr. Donohue requested a five minute recess, after which Mr. Bates brought the meeting back into session.

LICENSES:

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

MOTION made by Mr. Bates that to ensure that those applying for a Massage Therapist license, a Food Service license and a Disposal Works Installer license need to attend the Board meeting for a final authorization of that license. 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 Board receives more information from Town Counsel regarding Mr. Drown's litigation against the Town and to make sure whatever action the Board takes is appropriate. In discussion, Mr. Bates asked that motion be amended to note that counsel representing the Town in this case is Kopelman & Paige, not Atty. Ferris. Ms. Shaw seconded. In further discussion, the Chair read the fax sent to counsel on July 6, 2007 requesting their advice. All in favor, motion passes 3-0.

MOTION made by Mr. Donohue to grant a Temporary Food license for the DANA Block Party on July 26, 2007. Ms. Shaw seconded. Some discussion, all in favor, motion passes 3-0.

MOTION made by Mr. Bates for an amendment to the motion that DANA would provide a list of vendors by July 13, 2007. Mr. Donohue seconded. No further discussion, all in favor, motion passes 3-0.

MOTION made by Mr. Donohue to grant a Temporary Food license for the Simon Property Group at Emerald Square Mall for the DTour Live event on July 21, 2007. Ms. Shaw seconded. No further discussion, all in favor, motion passes 3-0.

MOTION made by Mr. Donohue to grant a Temporary Food license for Liberty Tax Service for the DANA Block Party on July 26, 2007. Ms. Shaw seconded. No further discussion, all in favor, motion passes 3-0.

MOTION made by Mr. Donohue to grant a Temporary Food license for All in the Family of Waltham, MA. to take part in the DANA Block Party on July 26, 2007. Ms. Shaw seconded. Some discussion, all in favor, motion passes 3-0.

NAIL SALON FEES:

Mr. Davis recommended that the Board establish fees of \$25.00 per nail salon establishment and \$25.00 per individual manicurist applying for a license under the new Nail Salon regulation.

MOTION made by Mr. Bates that the annual fee for a Nail Salon Establishment and individual manicurists be set at \$25.00 each. Mr. Donohue seconded. No further discussion, all in favor, motion passes 3-0.

HICKORY WOODS:

The Board discussed the Planning Board's recent authorization to finish two of the three roads in Hickory Woods and its direction to developers Fred Bottomley and Allen Riley to complete that work. It had been thought there was a roadway planning group including the Departments of Public Works, Electric and Building, plus the Conservation Commission, Acting Town Administrator and Town Counsel that had been meeting with the Planning Board to reach consensus on this roadway work, but that was not the case. Through Mr. Davis, Mr. Riley has asked this Board for consideration to allow his firm to complete the third road in Hickory Woods at the same time, but the third road is Harold Bishop Boulevard where many drainage issues remain. In the discussion that ensued, it was agreed the Board of Health cannot move forward with the drainage issues it has been asked to address until it has more information from the Hickory Woods property owners. Consistent with the instructions of the Selectmen's meeting on Hickory Woods last April, Mr. Davis has written to Atty. Ferris to ask whether private property drainage into the streets was indeed still an issue, and if so, to now draft a formal request for the property owners' full cooperation to obtain the information needed. It was noted that Tibbets Engineering had submitted a proposal at the fiscal year-end to pursue drainage information on eight properties, but there was not enough time to complete the work and invoice the Town before June 30th. Members also discussed the value of holding a meeting with the Hickory Woods residents in an effort to get the drainage information needed and the situation resolved.

INTERDEPARTMENTAL TRANSFER:

The interdepartmental transfer requested of the FinCom and the Selectmen was finally approved on June 29th and the departmental purchases hoped for were able to be made before the FY07 budget closed for purchases by noon of that day.

COMPLAINT LOG:

11 Summer Street

The owners of this property called today and are now willing to correct the violations cited in March, given Town Counsel had taken the matter to Court.

967 Longview Drive

Concern was expressed for ongoing complaints about additional trash on this property and the public health risk it presents. This is another case currently with Town Counsel for resolution and discussion ensued with respect to what the Board could do more immediately than the Court process to mitigate the situation there. Members discussed the possibility of having the Town take the initiative, clean the property itself with its DPW crews, and place a tax lien on the property for the cost of doing so. Members asked that Atty. Ferris be so advised.

Complaint Consolidations

Mr. Bates asked to have the complaint log be consolidated by address in order to tell how many complaints there really are against the same property.

EASTERN EQUINE ENCEPHALITIS (EEE):

The MDPH has reported that EEE positive mosquito samples were collected on July 4, 2007 in Raynham (Bristol County). The sample mosquitoes are considered bird bitters, but are nonetheless an early indicator of the EEE virus active in this area again this year.

SERVSAFE CERTIFICATES:

Mr. Donohue noted that Department records are showing over 30 licensed restaurants in Town have expired ServSafe Certificates on file with us. He asked Mr. Davis to pursue current certificates from all those at issue and remind 100% of the restaurants that their ServSafe Certifications need to be kept up to date. With respect to which types of food establishments are required to have ServSafe Certifications, Mr. Donohue also wanted to know if retail food, residential kitchen and mobile food operations are also required to have ServSafe Certification and whether more than one certified food service manager should be required in the larger establishments, particularly those running several shifts.

ADJOURN:

MOTION made by Mr. Donohue to adjourn the meeting at 8:56 PM. Seconded by Ms. Shaw. No discussion, motion passes 3-0.