

NORTH ATTLEBORO BOARD OF HEALTH

Meeting Minutes of
March 24, 2008 6:30 pm

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

Visitors: Eugene Beaupre, Bobby Hearn, Brian Hogan; John Mason and Nashaat Moawde of Bella Vista Restaurant; Michelle Liston of Hello Gorgeous; Stephanie Nguyen, and; Hatram Dao.

Chairman Bates opened the meeting at 6:35 PM.

PUBLIC HEARING:

35 East Street

Eugene Beaupre, owner of 35 East Street, appeared before the Board to address an Order to Correct issued to him to remove the refuse, trash and other debris in the back yard of his property, and to ask the Board for additional time to have it cleaned up. Members reviewed pictures taken of the property and Mr. Beaupre indicated he has already begun the clean up process, but needs more time to do it all.

MOTION made by Mr. Donohue to grant Mr. Beaupre an extension of 30 days to cleanup the property at 35 East Street, but to remove the refrigerator door as soon as possible and either remove the two unregistered vehicles from the property or get them registered. Ms. Shaw seconded. Some additional discussion, all in favor, motion passes 3-0.

LICENSES:

Mr. Mason came before the Members representing the new Bella Vista Restaurant at 116 Elm Street, No. Attleboro, and answered their questions relative to obtaining Food Service and Ice Cream licenses for the establishment. Members discussed the premature "soft opening" party held at the restaurant two days before without benefit of a license to do so and cautioned the owners that such failure to operate within the rules of the state and Town will not be tolerated in the future.

MOTION made by Mr. Donohue to grant a Food Service and an Ice Cream license for Bella Vista at 116 Elm Street. Ms. Shaw seconded. Some further discussion, all in favor, motion passes 3-0.

Ms. Michelle Liston came before the Board to represent the Hello Gorgeous salon and answer questions with respect to granting a Hairdressing license for her establishment at 30 North Washington Street.

MOTION made by Mr. Donohue to grant a Hairdressing Establishment license for Hello Gorgeous at 30 North Washington Street, North Attleboro. Ms. Shaw seconded. Some discussion, all in favor, motion passes 3-0.

Bobby Hearn from Foxboro, MA came before the Members to answer their questions with respect to his request for a Disposal Works Installer license.

MOTION made by Mr. Donohue to grant a Disposal Works Installer license to Bobby Hearn/dba National Site Development of Foxboro, MA. Ms. Shaw seconded. Some discussion, all in favor, motion passes 3-0.

Brian Hogan came before the Members to answer questions with respect to a Temporary Food license for Little North Attleboro League from April to September. The Members and Mr. Hogan discussed the Board's requirement that only pre-cooked, frozen hamburgers be used in this food operation, to which Mr. Hogan agreed.

MOTION made by Mr. Donohue to grant a Temporary Food license for Little North Attleboro League at Mason Field from April to September. Ms. Shaw seconded. After some discussion, all in favor, motion passes 3-0.

Stephanie Nguyen came before the Members to answer their questions with respect to a Manicuring/Nail Salon license for her U.S. Nails salon located at 429 South Washington Street.

MOTION made by Mr. Donohue to grant a Manicuring/Nail Salon establishment license for U.S. Nails at 429 South Washington Street, North Attleboro. Ms. Shaw seconded. Limited further discussion, all in favor, motion passes 3-0.

In turn, Stephanie Nguyen and Hatram Dao came before the Members prepared to answer questions with respect to their requests for individual Manicurist's license to work at the U.S. Nails salon located at 429 South Washington Street.

MOTION made by Mr. Donohue to grant a Manicurist license to work at U.S. Nails on 429 South Washington Street to Stephanie Nguyen of Pawtucket, RI. Ms. Shaw seconded. No discussion, all in favor, motion passes 3-0.

MOTION made by Mr. Donohue to grant a Manicurist license to work at U.S. Nails on 429 South Washington Street to Hatram Dao of Woonsocket, RI. Ms. Shaw seconded. No discussion, all in favor, motion passes 3-0.

MINUTES:

MOTION made by Mr. Donohue to accept the minutes of February 28, 2008. Ms. Shaw seconded. Some discussion, all in favor, motion passes 3-0.

After noting two corrections to be made, Mr. Donohue made a **MOTION** to accept the minutes of March 3, 2008. Ms. Shaw seconded. No further discussion, all in favor, motion passes 3-0.

MT. HOPE ESTATES:

The Board's recommendations were submitted to the Planning Board within the 45-day deadline for Mt. Hope Estates. In the discussion that ensued, Members expressed concern for some way to verify that their conditions for the subdivision will be followed. The Members also suggested that inspections and joint walks of this and other subdivisions should be routinely conducted with the Board of Public Works and any other Boards that shared interest in the subdivision(s). The joint meeting with the BPW to discuss oversight of the stormwater collection, treatment and dispersal systems to be constructed in the subdivision(s) still needs to be scheduled.

CHRISTINA ESTATES:

The Planning Board has forwarded a copy of a letter and set of plans from Tilton and Associates relative to various conditions of approval for Christina Estates. Based upon concerns for the original perc tests done some years ago, the Board may request further testing, especially if the subdivision's plans have been revised, property lines have been redrawn, or there have been other changes from the original since. If the subdivision's plans have been redrawn and new or different lots have been created, then test pit locations that were reported once before may not line up as required on the new lots and have to be done over. After a comparison of the plans, Mr. Donohue suggested a letter be sent to all parties involved, including the Planning Board to advise that the Board would need to have new percs taken and approved if the subdivision lots have been changed.

COBBLESTONE:

The Members asked Mr. Davis to compare the old and new subdivision plans for the Cobblestone subdivision and to put the subdivision on the agenda for discussion at the next Board meeting.

MILL RIVER CONSULTING EXPENSE:

Chairman Bates explained that the Board had invited Dan Ottenheimer of Mill River Consulting to the joint meeting with the Planning Board on February 27, 2008 to discuss his Company's report on Cushman Village that the Planning Board had called into question. However, when Mr. Ottenheimer appeared with the BOH members that evening, the Planning Board refused to allow any discussion of Cushman Village

specifically. Mr. Ottenheimer traveled from Gloucester that evening and responded nonetheless to generic questions and discussion that excluded mention Cushman Village by name. As a result, the fee for his services that would ordinarily have been part of Mill River's Cushman Village review could not be charged to Cushman Village at all (through no fault of Mr. Ottenheimer). After discussion, Mr. Bates agreed to go before the Finance Committee to ask for a Reserve Fund transfer to pay Mill River for Mr. Ottenheimer's services February 27. It was also suggested however, that Mr. Davis speak with Mr. Ottenheimer to see if the bill could be reduced in any way.

DPW COMPREHENSIVE WASTEWATER MANAGEMENT PLAN MEETING:

Mr. Bates, Mr. Davis and perhaps Mr. Donohue will be attending the comprehensive wastewater management plan meeting with the Department of Public Works on March 25, 2008.

AMERICAN RED CROSS 2008 REAL HERO AWARDS:

Public Health Nurse, Anne Marie Fleming will be honored at the Real Heroes Breakfast on March 27, 2008 sponsored by the American Red Cross of Massachusetts Bay as one of the 2007 Community Partner Real Heroes. Mr. Bates will notify the State Representatives and the Free Press of this nomination for Anne Marie Fleming being presented with the Community Partner Real Heroes Award.

BODY ART PRACTITIONER'S LICENSE:

With concern for public safety issues in general, the Police Department has contacted Mr. Davis regarding the Board's approval of a new tattoo establishment in Town without first sharing that information with the Police Department. After reviewing the Body Art Regulations, the police suggested that two of the three practitioners licensed there may not have provided sufficient information to the Board of Health, whereupon Mr. Davis contacted both to submit it. One of the applicants came into the office before tonight's meeting to present the documentation as requested, but the 2nd practitioner has yet to do so. However, Mr. Davis reported that the owner of the tattoo establishment did come to the Department earlier in the day to explain that this 2nd practitioner was in the process of taking the required course now and was due to finish it on Saturday 3/29/08. On behalf of his employee, he asked the Board's consideration to wait until Saturday for this practitioner to complete the course and produce the required certification before taking further action on his license.

MOTION made by Mr. Donohue for the Board to delay its action to suspend Keith Marchand's Body Art Practitioner's license until Mr. Marchand can complete a certification course on 3/29/08 and deliver the required documentation of satisfactory completion to the Board no later than Monday 3/31/08. Ms. Shaw seconded. After discussion, all in favor, motion passes 3-0.

HUMAN SERVICES COORDINATOR:

The position of a Human Services Coordinator for the Town has been approved by the Selectmen as proposed by the Board.. The Board must go before a Town meeting in the future for the salary of that position.

SIGNATORY AUTHORITY LETTER:

The Members considered still another signatory authority letter for the Town Accountant giving properly worded authority to any Member of the Board as well as Mr. Davis to sign vouchers or payroll. The Members signed the revised signatory authority letter.

STAFF REAPPOINTMENTS:

MOTION made by Mr. Bates to reappoint Daniel C. Brown, M.D. as the Town's Physician for three years. Mr. Donohue seconded. Limited discussion ensued on the need for additional reappointments like this one, all in favor, motion passes 3-0.

MOTION made by Mr. Bates to reappoint Catherine E. Mann, R.N. and Mary Joubert, R.N. as Public Health Nurses for the Town for three year terms. Mr. Donohue seconded. No discussion, all in favor, motion passes 3-0. Chairman Bates signed the appointment letters.

COMPLAINT LOG:

93-95 Fisher Street

In response to Mr. Donohue's question about the value of more court action with respect to difficult complaint cases, Mr. Davis referred to the cleanup of 93-95 Fisher St. as a good example of the value of non-criminal disposition fines instead of court appearances as good incentives for owners to comply with Orders to Correct from the Department.

139 Jackson Street

139 Jackson Street is another example of the effect of non-crim fines vs. court action to gain compliance. Within a day after receiving notice of a \$100 fine to clean up this property, the family both called and appeared in the Department to express willingness to correct the violations cited at the property.

158 N. Washington Street

The owner of 158 N. Washington Street has been fined \$100.00 for non-compliance and been given 7 additional days to correct the housing violations cited.

267 Mendon Road

The owner has been picking up the debris and trash cited at 267 Mendon Road. Mr. Davis will recheck once more before moving this complaint to the closed file.

32 Columbia Street

Mr. Davis needs to follow up with Mr. Battistello on the co-mingling issue with his tenants.

145 Freeman Street

The Fire Department has requested that the Electric Department cut off all power to 145 Freeman Street, and the Building and Health Departments to inspect the property for dangerous conditions and respective violations at this address. Mr. Davis has inspected the property and taken several pictures of violations there, which will be sent to the owner with an Order to Correct.

MOTION made by Mr. Bates for the Board to issue an Order to the owner of 145 Freeman Street to correct the public health violations found including the well covering, building access and other hazards at this address within seven days of receipt of the letter. Mr. Donohue seconded. Additional discussion followed, all in favor, motion passes 3-0.

115 Draper Avenue

Mr. Davis has just inspected this property owned by an out-of-state individual and has photographed the refrigerators, tires and other debris strewn about the property. An Order to Correct will need to be issued.

DIRECTOR'S REPORT:

Town Hall Space Planning

Town Administrator Mark Fisher recently outlined plans for certain Town Hall renovations and Space Planning relocations for all the Departments in Town Hall. Mark Fisher explained that the Health Department is projected to expand somewhat by taking over part of the current MIS Department space. Mr. Fisher explained that the planning took into consideration the possibility of adding a Human Services person in the near future.

Webster Building

The Health, Fire, and Building Departments had jointly inspected the Webster Building property last Fall and made a report to the Town Administrator. In response, the current owner of the property has just told the Town that she doesn't have the money to safely secure the property at this time. The Town will now ask the owner to fence up the area, clean up the property and board up the building before the situation becomes a legal matter with associated additional expense.

The “Needles Law”

The Department of Public Health has passed a new “Needles Law”, MGL 94C. 27A – Collection and Disposal of Spent Non-Commercially Generated Hypodermic Needles and Lancets. Unfortunately, local Boards of Health have been written into the Law as responsible for its enforcement without any provision for funding that responsibility. As such, it becomes another “unfunded mandate” of unknown cost to local health departments like North Attleboro’s.

Childhood Obesity-Healthy Futures Grant

The YMCA has obtained a Healthy Futures grant to address childhood obesity and would like to work with the Board of Health and Health Department in implementing it in North Attleboro. Recently, Mr. Donohue and Mr. Davis attended one of the initial YMCA meetings on the grant with School Department representatives and other community partners.

Planning Board Group For Subdivisions

The Town Administrator has asked several Boards to identify one of their Members and Town employees to represent them on a new joint subdivision discussion group to be formed. The Members agreed that Ms. Shaw and Mr. Davis should be designated to represent the Board of Health on this new subdivision group.

National Public Health Performance Standards Program

Members received copies of the 100-page local public health system assessment supplemental questionnaire to be filled out for \$600 National Health Preparedness Grant. Members were asked to fill out their assessments, which Mr. Davis will collate into one response from the Board and submit.

MDPH Summer Intern Program

Late today the Department of Public Health notified the Health Department that a graduate student has matched the Town’s proposal for a summer internship with their interest for a 2008 MDPH Internship project. The individual matched is Valerie Marie Hastings from North Attleboro, a very well qualified local student with data management skills and a career interest in epidemiology and public health. In discussion, the Members felt Ms. Hastings will be of great assistance to the Health Department through this internship.

Rabies Clinic

The annual Rabies Clinic supported by the Board of Health is scheduled to be held this year on April 5, 2008 at the DPW garage on Smith Street from 9AM to Noon.

BOARD MEETING SCHEDULES:

Members agreed that the April Board of Health meetings will be held on Monday, April 7, 2008 at the Electric Department at 6:30 PM and on Tuesday, April 22, 2008 at the Town Hall at 6:30 PM.

OTHER:

Senate Bill 2461:

Members discussed Senate Bill 2461 that proposes to enact anti-bullying legislation to provide protection to all children and families within the Commonwealth. Following discussion, the Chairman asked the Members to send letters to the House and the Senate in support of this bill.

ADJOURN:

MOTION made by Mr. Donohue to adjourn the meeting at 8:40 PM. Seconded by Ms. Shaw. No further discussion, motion passes 3-0.