

NORTH ATTLEBORO BOARD OF HEALTH

Meeting Minutes of  
May 27, 2008 6:00 pm

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

Visitors: Michael Catalano, Patrick Jergens, John Flynn, Dave Zalewski & Joseph Dalton

Chairman Bates opened the meeting at 6:00 PM.

**LICENSES:**

Dave Zalewski came before the Members to answer questions with respect to his company's request for septic hauler/pumper licenses. Discussion ensued.

**MOTION** made by Mr. Donohue to grant septic hauler/pumper licenses to Environmental Products & Services of Vermont contingent upon approval of the company's trucks one by one via departmental inspection as they come into town for the first time. Seconded: Mr. Maslen. Following further discussion in which Mr. Zalewski suggested he could give the Department 1 week's notice of each trucks first visit, all in favor, motion passes 3-0.

John Flynn of Fiesta Shows came before the Members to answer questions with respect to his request for Temporary Food licenses. In the discussion that followed, Mr. Flynn was asked if he was aware of the rule which prohibits traveling carnival employees from using box trailers as temporary housing for carnival employees under Massachusetts Public Safety and Security Department for Fire Services. Mr. Flynn offered that he was aware of the issue and attested that his employees do not sleep in the company's vehicles.

**MOTION** made by Mr. Donohue to grant 5 Temporary Food licenses for Fiesta Shows for Kid's Day, July 9-13, 2008. Seconded: Mr. Maslen. Some additional discussion, all in favor, motion passes 3-0.

Joseph Dalton came before the Members to answer questions with respect to his request for a Hairdressing/Nail Establishment license for SoHo Hair Design. Mr. Dalton explained that Heather Sullivan, a manicurist previously licensed by the Board for the same location under a different owner, will be the manicurist for his establishment as well. Mr. Davis will verify the individual as one previously licensed there and alert the staff to change her license accordingly.

**MOTION** made by Mr. Donohue to grant a Hairdressing/Nail Establishment license for SoHo Hair Design at 869 East Washington Street. Seconded: Mr. Maslen. Some discussion, all in favor, motion passes 3-0.

Michael Catalano came before the Members to answer questions with respect to his request for a Title V System Inspector's license.

**MOTION** made by Mr. Donohue to grant a Title V System Inspector license for Michael Catalano/InLine Inspection of Blackstone, MA. Seconded: Mr. Maslen. No discussion, all in favor, motion passes 3-0.

Patrick Jergens came before the Members to answer questions with respect to his request for a Mobile Food license.

**MOTION** made by Mr. Donohue to grant a Mobile Food license for Country Boy Enterprises of West Warwick, RI to have a hot dog cart at the corner of Freeman Street and Commonwealth Avenue. Seconded: Mr. Maslen. Some discussion, all in favor, motion passes 3-0.

**MINUTES:**

**MOTION** made by Mr. Donohue to accept the minutes of May 13, 2008. Mr. Maslen seconded. No discussion, all in favor, motion passes 3-0.

**\$4,000 SETTLEMENT REQUEST:**

The Board of Health office received an offer to settle a hazmat case involving a 1990 shipment to NY for \$4,000. The Town landfill had shipped 420 gallons of something to New York in February 1990 when the Board of Health was still responsible for the landfill. After searching the Departmental files, Donna Vandette was only able to find a copy of a letter to Ray Payson and the Public Works from Camp, Dresser & McGee on a Sludge Handling Study from February, 1990. Members questioned whether a lot more than 420 gallons of liquid would have been transported to NY then if the substance was simply sludge from the Town's wastewater treatment facility. The paperwork received was sent to Town Counsel for his review and recommendation. In turn, Atty. Ferris has advised Mr. Davis that hadn't received enough documentation and so could not evaluate the merits of the claim.

**3-SIGNATURE WARRANT POLICY:**

The Town Accountant has directed that henceforth, a majority of the Board members (2) must sign all vouchers for the Board of Health Department. Mr. Bates felt strongly that Mr. Davis' signature should henceforth be required as well. Thus, Health Department and Board of Health vouchers must be signed by the department head and submitted to the Board at their meetings for their signatures.

**RESERVE FUND TRANSFER:**

Mill River Consulting has not been paid the \$1,125.00 fee for Dan Ottenheimer's time to prepare for and attend the joint Board of Health and Planning Board meeting held February 27, 2008 to discuss Mill River's Cushman Village recommendations and the Board of Health's role in subdivision review. The FINCOM rejected the Reserve Fund Transfer requested to pay this bill and suggested that the developer be billed instead. Under the circumstances, the Members felt that the developer should not be charged, but that the Department should see what monies might remain in its budget at the fiscal year end with which to pay the bill.

**MOTION** made by Mr. Bates to have Mr. Davis draft a letter to the Planning Board asking them to jointly participate in payment of the Mill River invoice because they had not informed the members that the Mill River Report could not be discussed at the February 27<sup>th</sup> meeting. Mr. Donohue seconded. Some further discussion, all in favor, motion passes 3-0.

**PRORATING OF LICENSES:**

The Members discussed the variations and possibilities of pro-rating the Department's various licenses and permits and agreed to discuss it again at the next Board meeting.

**PERMITS:**

Mr. Davis and Mr. Donohue attended a May 14<sup>th</sup> meeting of the Selectmen’s ad-hoc, multi-board, planning committee intended to discuss subdivision reviews, engineering and development. Although the original charge to the participating boards was to identify and provide one board member and one department professional to the ad hoc group, there was little professional participation at this meeting. No further documentation, nor dates for any subsequent meetings have been forthcoming since. Although one of the Selectmen’s goals involved the Town possibly engaging a single consulting firm to do all its consulting engineering work, Mr. Donohue felt not enough professionals participated in this first meeting to gather their concerns, needs and expertise, and he will voice his concerns with the Town Administrator.

**BOARD MEETING SCHEDULES:**

Consistent with their invitation, the Members will meet with the Conservation Commission at 6:45 PM on June 3<sup>rd</sup> to discuss beach testing. The Members also agreed to hold their next meeting on June 9<sup>th</sup> or June 10<sup>th</sup> at the Electric Department.

**COMPLAINT LOG:**

11 Summer Street

A court date has been continued till July 17<sup>th</sup> against the owner of 11 Summer Street for not complying with a February ’07 Order to Correct multiple violations there.

158 N.Washington Street apt.#5

The owner has fixed everything at 158 N. Washington Street and one of the fines was paid but not the other.

9-11 Cross Street

Mr. Davis needs to re inspect 9-11 Cross Street.

35 East Street

The owner of 35 East Street has been given two weeks to cleanup the property and has just been fined \$100.00.

145 Freeman Street

The owner of this property has been given 30 days to clean up the property and secure it. That owner is waiting to hear from the Historical Commission to give the OK to demolish the house. From the discussion that followed, the Members asked that a letter be sent to the owner directing that priority items such as the holes around the property and the building’s doors and windows have to be fixed, secured or boarded up in the next 10 days maximum or the fine process will begin.

36 Roland Baxter Road

The owner of 36 Roland Baxter Road was fined \$100.00 today because she has not cleaned up the property.

35 Oakhurst Street

The owner of 35 Oakhurst Street was given two chances to clean up her property and has attempted to do so.

J.W.G. Auctioneer

The property has been cleaned up at 33-37 Elm Street, but if they wish to serve food as they have, they will need to apply for a food establishment license.

256 Draper Avenue

There is a breakout situation of a cesspool at 256 Draper Avenue and the owner has been ordered to upgrade the system within 12 months and pump out the cesspool every 4 weeks in the interim.

82-85 Park Street and 178 Broadway

The trash issues have been resolved and the complaints closed for both 82-85 Park Street and 178 Broadway.

12 Moody Street

Another tenant at 12 Moody Street has received a certified letter to correct a housing violation immediately. He has had the electricity in his apartment shut off since April 29<sup>th</sup> and he continues to live there.

**PENDING COMPLAINTS:**

967 Longview Drive

The town is still waiting to get paid for the clean up of the property that the town employees did at 967 Longview Drive.

23 Sumner Street

There is a construction trailer at 23 Sumner Street but the apartment cited remains unoccupied.

145 Broad Street

The violation issues at 145 Broad Street are still in the hands of Town Counsel.

60 Barbara Road

The owner of 60 Barbara Road was fined \$100.00 for not cleaning up the trash and has not paid the fine.

93-95 Fisher Street

The house at 93-95 Fisher Street was foreclosed on by the bank and both parties are responsible for individual \$100.00 fines for failure to correct the trash, refuse and overflowing dumpster issues there.

32 Columbia Street

Mr. Davis must return to reinspect the 1<sup>st</sup> floor apartment at 32 Columbia Street and is awaiting the owner's call to do so. The apartment remains unoccupied in the interim.

158 North Washington Street apt #21

The tenant is out of 158 N. Washington Street apartment #21 and is at the VA Hospital. His apartment has been or is being cleaned up. It is unknown if the tenant will return.

**DIRECTOR'S REPORT**

MDPH Summer Intern

Val Hastings, the MDPH Summer Intern will come to the office on June 3<sup>rd</sup> at 10:30 AM to meet the staff. Mr. Davis will attend MDPH's orientation on June 5<sup>th</sup> for the Summer Intern Program. Among things that Val will be asked to work on is putting the complaint log on an advanced data base. Mr. Bates asked if Val will be meeting the Members at an upcoming Board meeting and Mr. Davis assured the Board that the intern will be an active participant at all the Board meetings during her tenure.

Food Manager's ServSafe Certifications

Food Establishments had until May 15, 2008 to get their employees certified as food service managers for all food preparation shifts. The establishments now need to submit their expanded lists of Food Service Managers with copies of the ServSafe Certificates to the office. In the letter

going to each, establishment owners will be given seven days to request a hearing with the Board to appeal the new policy because of their circumstances.

Emergency Cards

Mr. Davis distributed new Emergency Cards to the Members courtesy of the Region 5 Bristol County Coalition of boards of health. On the front side of the card is a listing of emergency phone numbers for the Town of North Attleboro, with a list of supplies to have on hand during an emergency printed on the back. These cards will be given to town residents at some time in the future.

**ADJOURN:**

**MOTION** made by Mr. Donohue to adjourn the meeting at 7:30 PM. Seconded: Mr. Maslen. No further discussion, motion passes 3-0.