

NORTH ATTLEBORO BOARD OF HEALTH

Meeting Minutes of  
August 26, 2008 6:00 pm

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

Visitors: Larry Tilton, Glenn Ofcarcik, and Dale MacKinnon from Tilton & Associates; Attorneys Stephen Clapp and Dan DelVecchio; Kim Mai, Hang Chau, Hong Huynh from Fancy Nails; Chris & Livia Wood from Auntie Anne's, Lisa Cannata for 17 Lakeshore Drive; Cody Ho & Lily Nguyen from Nails Pro-Plus; KimChi T. Le from Passion Nails; Dat Nguyen, Lana Nguyen & Tam Thanh Le from Indulgence Nail Salon

Chairman Don Bates opened the meeting at: 5:59 PM.

**PUBLIC HEARING:**

17 Lakeshore Drive

Lisa Cannata, owner of the property at 17 Lakeshore Drive, came before the Members requesting an extension to correct the violations cited in this property given the tenant is due to move out of the apartment shortly. There is a persistent odor coming from the apartment due to the tenant's medical condition with open wounds. Mr. Davis will notify the Veteran's office for assistance with finding housing for this veteran. In the meantime, the owner will install one or more fans in the common area of the apartment to enhance ventilation.

**MOTION** made by Mr. Donohue to grant the owner of 17 Lakeshore Drive a 30 day extension to allow more time for the tenant to find appropriate housing and eliminate the odor problem. Seconded: Mr. Maslen. Some discussion, all in favor, motion passes 3-0.

**LICENSES:**

Mr. Dat Nguyen came before the Members to answer questions with respect to the two manicurists applying for licenses to work at his Indulgence nail salon. Discussion ensued.

**MOTION** made by Mr. Donohue to grant a Manicurist license to Tam Thanh Le and Lan Nguyen to work at Indulgence at 455 East Washington Street, N.A. Seconded: Mr. Maslen. Some discussion, all in favor, motion passes 3-0.

Fancy Nails nail salon owner, Ms. Dung Mai, came before the Members to answer questions with respect to her own application as a manicurist and that of two others who were applying for licenses to work at her establishment, and to explain why she continued to remain open and in operation (again) when no one was licensed by the Board. In the discussion that followed, Ms. Mai was admonished by the Board for her action and warned that any further violations would not be tolerated.

**MOTION** made by Mr. Donohue to grant a Manicurist license to Ms. Hang Chau and Ms. Hong Huynh to work at Fancy Nails at the Emerald Square Mall. Seconded: Mr. Maslen. Some discussion, all in favor, motion passes 3-0.

**MOTION** made by Mr. Bates to grant a Manicurist license with a 30-day probationary period to Ms. Dung Mai to work at Fancy Nails. In discussion, Ms. Mai was told that any further violations of the Board of Health's manicuring regulation in the next 30 days would subject her to immediate removal of her licensure privileges. After the applicant acknowledged that she understood such consequences, all in favor, motion passes 3-0.

Mr. Anhthu Hoang came before the Members to answer questions with respect to his request for a Manicuring/Nail Salon Establishment license for Nail Pro-Plus at Emerald Square Mall. Mr. Davis reported that he inspected the salon earlier that day with the applicant, and that several violations had been found.

**MOTION** made by Mr. Donohue to grant the Manicuring/Nail Salon Establishment license for Nail Pro-Plus contingent upon correcting the violations to be listed in the Health Agent's inspection report. After the corrections are verified by Mr. Davis' reinspection, Nail Pro-Plus will be granted a permanent establishment license. Seconded: Mr. Maslen. Some further discussion, all in favor, motion passes 3-0.

Mr. Anhthu Hoang came before the Members to answer questions with respect to the two manicurists applying for licenses to work at Nail Pro-Plus at the Emerald Square Mall.

**MOTION** made by Mr. Donohue to grant a Manicurist license to Ms. Lily Nguyen and Mr. Cody Ho to work at Nail Pro-Plus at the Emerald Square Mall. Some discussion, all in favor, motion passes 3-0.

Mr. Anhthu Hoang came before the Members to answer questions with respect to his request for a Manicuring/Nail Salon Establishment license for Passion Nails at the Emerald Square Mall. Mr. Davis reported that he inspected this salon earlier that day with the applicant as well, and that several violations had been found.

**MOTION** made by Mr. Donohue to grant the Manicuring/Nail Salon Establishment license for Passion Nails nail salon contingent upon correcting the violations to be listed in the Health Agent's inspection report. After the corrections are verified by Mr. Davis' reinspection, Passion Nails will be granted a permanent establishment license. Seconded: Mr. Maslen. Some discussion, all in favor, motion passes 3-0.

Mr. Anhthu Hoang came before the Members to answer questions with respect to a Manicurist license for Ms. KimChi T. Le to work at Passion Nails at the Emerald Square Mall.

**MOTION** made by Mr. Donohue to grant a Manicurist license to Ms. KimChi T. Le to work at Passion Nails nail salon at the Emerald Square Mall. No further discussion, all in favor, motion passes 3-0.

Mr. Christopher Wood came before the Members to answer questions with respect to his request for a Mobile Food license for Auntie Anne's at the Emerald Square Mall.

**MOTION** made by Mr. Donohue to grant Auntie Annie's a Mobile Food license to sell pretzels and drinks at the Food Court at the Emerald Square Mall. After discussion, all in favor, motion passes 3-0.

**PUBLIC HEARING:**

108 Park Street 2<sup>nd</sup> floor

The owner of 108 Park Street did not attend this meeting to discuss the minimum housing violations found at this property, as had been previously requested. The Health Agent reported that the tenant was to have vacated the property before the meeting, and that he had advised the owner that a reinspection will be required before the dwelling can be reoccupied.

**MOTION** made by Mr. Donohue that the violations will stay on the complaint log for 108 Park Street until the tenant moves, the violations are cleared up and a reinspection is done. Some discussion, all in favor, motion passes 3-0. Mr. Bates asked however, that if the tenant has not vacated the property, that the owner appear at the next Board meeting in September.

**CUSHMAN VILLAGE:**

Mr. Larry Tilton came before the Members to address comments from the Board’s consultant on the Cushman Village subdivision project in pursuit of the Board’s approval for the project. Introducing a team of development experts, Mr. Tilton presented the Cushman Village subdivision plans and answered the Board Members’ questions. In the ensuing discussion, Mr. Tilton explained that the original plans were prepared before the present requirements were put in place and that his engineers need to design the drainage and then size in the septic systems to each house lot. He advised that Attorneys Stephen Clapp and Dan DelVecchio have worked out an acceptable easement with the Town and Town Counsel in order to put a detention pond across the Town street on golf course property that will be maintain by the golf course owner. Stormwater from the development will flow under the street to the proposed retention pond and be used by the golf course. Mr. Tilton also noted that the developer will use whatever kind of piping that the town requires, and that he will go over all the issues raised by Mill River Consulting with its President Dan Ottenheimer before the Board makes its final decision on this project. Mr. Clapp asked the Board what time frame it might anticipate before the Board takes final action on the subdivision and the Members agreed that such a decision should be possible before the end of September.

**HEALTH AGENT’S MONTHLY REPORT FOR JULY:**

Rob Casper came before the Members to discuss his monthly report for July 2008 and answer their questions. Discussion ensued. In response to the Board of Public Works suggestion, Mr. Casper submitted a copy of the Town of West Bridgewater’s local regulations for more restrictive repair and installation requirements for septic systems for the Members’ review.

**MOTION** made by Mr. Donohue to accept the Health Agent’s Monthly Report for July 2008. Seconded: Mr. Maslen. After ample discussion, all in favor, motion passes 3-0.

**RECESS:**

The members recessed for five minutes at 7:43 PM.

**MINUTES:**

Mr. Maslen noted two errors on the minutes of August 19, 2008: the seventh line down under Wastewater Management Strategies (change the word “is” to “in”) and that it was Mr. Maslen had made the motion to adjourn that meeting, with Mr. Donohue seconding).

**MOTION** made by Mr. Donohue to accept the minutes of August 19, 2008 with the two corrections made. Seconded: Mr. Maslen. Limited further discussion, all in favor, motion passes 3-0.

**OLD BUSINESS:**

MDPH Internship, Valerie Hastings

Ms. Valerie Hastings made a presentation to the Board on the 10-year communicable disease project she had completed and put together for the Health Department. After distributing copies of her report to the Members and reviewing its content, Ms. Hastings thanked the Board for their support with her internship and expressed her appreciation for the opportunity to work with them and all the staff in the Health Department. The Members commended Ms. Hastings for her work and asked that a copy of her report be presented to both Town Administrator Mark Fisher and the School Department’s nurse manager Judy Aubin.

North TV

Mr. Donohue reported that he has spoken with the Executive Chef of Johnson & Wales and is working on producing a public information TV show on proper food handling in the household with him.

Mr. Maslen reported on his intention to speak with North TV's Chris Mullen about recording BOH meetings digitally in order to finally dispense with the old, disruptive analog tape recording process. In the discussion that ensued, Mr. Davis advised that he has identified a 1GB digital Smartpen for purchase that has been researched by Assistant IT Director Ken McCarthy for exactly the use required by the Board.

Southeast Environmental, Inc./Lewicki Plain Street Properties.

Members discussed a letter sent to Mr. Davis from Southeast Environmental, Inc. requesting that the interval of required hazmat inspections at the Lewicki Plain Street Properties be increased from every six months to annually starting in August 2009. In discussion, the Members agreed to respond that a modification of that condition could not be supported at this time.

**COMPLAINT LOG:**

35 East Street

All the cars and the refrigerators have been removed from this property and a dumpster is in place being filled with more trash and rubbish from the yard.

82 Park Street

This apartment is unoccupied and the owner has taken care of all the violations except replacement the windows scheduled since this complaint was made.

52 High Street 1<sup>st</sup> floor

The owner of 52 High Street has been granted a waiver till the end of August to take care of the violations unless the dwelling has been vacated. A reinspection will be needed.

191 Smith Street 2<sup>nd</sup> floor

Tenant had reported that the circuits keep blowing out in his apartment. The son of the owner is due to present a certificate of compliance from the electrician who has already completed the work required.

82 Birchwood Drive

The tenant reports that greywater is backing up into the cellar and washing machine. Mr. Davis will send the owner an inspection report and Order to Correct.

**BOARD MEETING SCHEDULE:**

The Members agreed to hold their next meetings on Tuesday, September 9, 2008 and Tuesday, September 23, 2008.

**DIRECTOR'S REPORT:**

Mr. Davis asked the Board's consideration to extend the long weekend with 3 vacation days and advised that Mr. Casper has already agreed to cover any emergencies that may arise.

**ADJOURN:**

There being no further business to discuss, a **MOTION** was made by Mr. Donohue to adjourn the meeting at 8:30 PM. Seconded: Mr. Maslen. No further discussion, motion passes 3-0.