

NORTH ATTLEBORO BOARD OF HEALTH

Meeting Minutes of
September 23, 2008 pm

In attendance: Don Bates, Chairman; John Donohue Jr., and Jonathan Maslen, Members; Public Health Nurse, Anne Marie Fleming; Agents: Rob Casper and Robert Davis.

Visitors: Tram Nguyen from Nail Pro-Plus; Shane Parsons and Tom Colageo from Living Waters Church; Dennis and Steven Dubois from Spike's Junkyard Dogs; Hector Rodriguez, owner of 82 Birchwood Drive.

Chairman Donald Bates opened the meeting at 6:00 PM.

MINUTES:

MOTION made by Mr. Donohue to accept the minutes of September 9, 2008 as written. Seconded: Mr. Maslen. No discussion, all in favor, motion passes 3-0.

FORMAT CHANGE:

Chairman Bates proposed a new format change for Board proceedings and asked Mr. Maslen if he would henceforth moderate and lead meeting discussions on most complaint log matters and other issues relative to construction, and Mr. Donohue if he would do the same for all food service and establishment issues in the complaint log. The Members concurred and the meeting continued.

PUBLIC HEARING:

82 Birchwood Drive

Mr. Hector Rodriguez, owner of the property at 82 Birchwood Drive, came before the Members to request an extension of time to correct the violations that had been cited there. After explaining that the tenant was being evicted and should be moving out, Mr. Rodriguez answered many questions for the Board.

MOTION made by Mr. Maslen regarding Order to Correct #08-107 for 82 Birchwood Drive that the five day time tables to correct violations #1-7 and 14 days to correct violations #13 and 16 be sustained, but that the owner be granted an additional 30 days to correct the rest of the violations. Seconded: Mr. Donohue. In the discussion that followed, the Members heard that the owner may not have reasonable access to make any of the corrections cited because of several tenant issues, including changed door locks, that would make timely corrections unpredictable.

MOTION made by Mr. Bates **TO AMEND** the previous motion to include notification to the tenant of her obligation to allow reasonable access to make the corrections necessary or be subject to the penalties provided. Mr. Maslen accepted the amendment and seconded the motion. There was no further discussion, all in favor of the amendment, motion passed 3-0. All in favor of the amended motion, passes 3-0.

The Board asked Mr. Rodriguez to notify the Health Department of the results of the court case against the tenant to vacate the premises. The Board explained that if the tenant does not vacate the property within the additional 30 days that has been granted, the owner will need to make all the corrections cited, including repairs to the windows. If the tenant does vacate the property in the next 30 days however, the Board will waive the correction time frames remaining, contingent upon a Health Department reinspection of the premises before the home is occupied again.

LICENSES:

Mr. Shane Parsons came before the Members to answer questions with respect to his application for a Residential Kitchen license for the Living Waters Church at 15 John Dietsch Boulevard.

MOTION made by Mr. Donohue to grant a Residential Kitchen license for the Living Waters Church at 15 John Dietsch Boulevard, N.A. Seconded: Mr. Maslen. Some discussion, all in favor, motion passes 3-0.

Mr. Steven Dubois came before the Members to answer questions with respect to his application for a Food Service license for Spikes Junkyard Dogs at Emerald Square Mall.

MOTION made by Mr. Donohue to grant a Food Service license for Spikes Junkyard Dogs at the Emerald Square Mall pending inspection by the Health Agent. Seconded: Mr. Maslen. Some discussion, all in favor, motion passes 3-0.

Ms. Tram Nguyen came before the Members to answer questions with respect to her application for a Manicurist license to work at Nails Pro-Plus at the Emerald Square Mall.

MOTION made by Mr. Maslen to grant a Manicurist license for Tram Nguyen to work at Nails Pro-Plus at the Emerald Square Mall. Seconded: Mr. Donohue. Some discussion, all in favor, motion passes 3-0.

MOTION made by Mr. Donohue to grant a Temporary Food license for the North Attleboro Cultural Council for the First Annual Declamation, Poetry and Debate Contest at the North Attleboro Community School on October 15, 2008 and November 12, 2008. Seconded: Mr. Maslen. Limited discussion, all in favor, motion passes 3-0.

MOTION made by Mr. Donohue to grant a Temporary Food license for the North Attleboro Cultural Council for the Arts Show at the Veteran's Park on October 5, 2008. Seconded: Mr. Maslen. Limited discussion, all in favor, motion passes 3-0.

HEALTH NURSE'S MONTHLY REPORT FOR AUGUST:

Anne Marie Fleming came before the Board to discuss her monthly report for August 2008 and answer the Member's questions.

MOTION made by Mr. Donohue to accept the Health Nurse's Monthly Report for August 2008. Seconded: Mr. Maslen. After discussion, all in favor, motion passes 3-0.

HEALTH AGENT'S MONTHLY REPORT FOR AUGUST:

Rob Casper came before the Board to discuss his monthly report for August 2008 and to answer the Member's questions.

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

OLD BUSINESS:

Cushman Village

Contrary to expectations, Cushman Village developers have had no contact with the Health Department since their August 26, 2008 presentation to the Board, no documentation has been submitted, and no follow-up has been reported with Mill River Consulting. Mr. Bates has spoken with Town Administrator Mark Fisher about the easement reportedly approved for the project however, and Mr. Fisher has clarified that Town Counsel Roger Ferris only recommended an easement format to the developer, not draft its contents.

Nail Salon Licensing

Mr. Davis has spoken with Representative Betty Poirier about the Board's Nail Salon Regulation and reported that the Representative will speak with Chief Investigator Christopher Carroll from the state licensing board to ask that he meet with the Board to discuss its Nail Salon Regulation. Ms. Poirier was very responsive to the Board's request and interested in its outcome.

COMPLAINT LOG:

35 East Street

The owner has taken care of the heavy stuff that was on his property and is continuing to cleanup the rest of the trash cluttering the yard at 35 East Street.

21 Mendon Road

A letter has been sent to the mortgage holding bank in North Carolina for 21 Mendon Road. Mr. Davis will speak to Mark Fisher about the standing water and other ongoing safety issues of the abandoned pool on this property.

Indulgence Nail Salon

The owner of Indulgence has promised to fully comply with the Board's regulation and in the last week has produced a full set of MSDS sheets for his establishment and plans for improved ventilation at his Nail Salon.

194 Smith Street, 2nd floor

The owner of 194 Smith Street began addressing some of the housing violations found on the 1st day of inspection and has been in frequent contact with Mr. Davis since about correcting them all.

Mrs. Field's Cookies

Mr. Davis has revisited Mrs. Field's Cookies at the Mall and the manager reported that she was scheduled for a ServSafe class last Thursday.

Chi Chi's Salon

Chi Chi's Salon has reportedly reopened after another hiatus and Mr. Donohue will visit the salon on September 24th to verify that its manicurists are the same that have been previously licensed with the Board.

208 Park Street, apt. 2

The owner of 208 Park Street has a lot of violations to correct in this latest complaint and has been working on them.

Opposite 17 Girard's Way

A port-a-potty sits at a dormant construction site opposite 17 Girard's Way and is being used by the public and workers from other sites. Although the developer is still paying for it, Mr. Davis has called to see if it can finally be removed.

NEW BUSINESS:

Fee Consideration

The Members considered discontinuing four questionably appropriate licensing fees from the fee schedule: 1) Funeral Directors (inspected by the state); 2) Piggeries of 4 pigs or less; 3) Hypodermic Needles (for residents to inoculate their own animals), and; 4) Milk & Cream (originally intended to regulate local milk farms which the Town no longer has). In discussion, the Members verified that current retail store inspections include commercial dairy product checks including dates, temperatures, etc. milk, cream and other products are kept.

MOTION made by Mr. Donohue to discontinue licensing the following items and their associated fees: Milk & Cream, Piggeries, Hypodermic Needles and Funeral Directors effective September 23, 2008. Seconded: Mr. Maslen. No further discussion, all in favor, motion passes 3-0.

DIRECTOR'S REPORT:

Translation Aide

Mr. Davis distributed copies of a translation instrument the staff will begin to handout or include in materials mailed when the recipient may have language barrier issues with the information. The document contained an important message in English that was also translated into eight other languages urging the reader to have the material accompanying it translated if there was any question about understanding it. Mr. Donohue suggested a copy be sent to Town Administrator Mark Fisher in the event any other Town departments who were dealing with similar language barrier issues could use it.

CIP Request

The Department has been asked to prepare its annual CIP request, and once again, the Department will request replacement of the old Town truck with two used vehicles more appropriate for the agent and public health nurse to use on a daily basis. The Town Accountant and the Town Administrator are not yet convinced that acquiring used vehicles from the Federal Auto Auction is in the best interest of the Town. Nonetheless, the Members agreed that Mr. Davis should once again submit a CIP request for the Department to replace its 1994 pickup truck with two used vehicles from the Federal Auto Auction.

Authorization of Payroll Timesheets

The Town Treasurer has requested new signatory authorizations for each of the Town's Board and Commissions to sign weekly payroll timesheets. The Members considered a draft letter to the Town Treasurer authorizing Mr. Davis or Mr. Bates to sign weekly payroll timesheets for the Health Department and the Board of Health as necessary.

MOTION made by Mr. Bates to send a letter to the Town Treasurer authorizing Robert Davis, the Health Director/Agent and Donald Bates, Chairman of the Board of Health, to sign the weekly payroll timesheets for the Health Department and the Board of Health as necessary. Seconded: Mr. Donohue. No further discussion, motion passes 3-0.

Winter Emergency Preparations

Mr. Bates, Mr. Davis and Ms. Fleming have been participating in meetings with Representative Betty Poirier, the Fire and Police Chiefs, Town Administrator, Building Inspector, COA Director and a representative of St. Vincent de Paul to discuss and prepare for the hard economic winter that could leave some citizens literally out in the cold. The group has been discussing ideas and alternatives that could be employed if no-heat crises come up and short term solutions are needed. The Members agreed that personal safety issues were paramount, but expressed great concern for the significant property damage that can occur with freezing pipes if citizens run out of oil and have to leave their homes. Mr. Davis will share that concern with the group.

Septic Betterment

Although approximately \$40,000 remains unapplied-for and undispersed from the Town's 1994 septic betterment program, the Town has renewed its interest in the \$200,000 of betterment monies originally made available through a 1999 DEP program. The DEP has met with Town officials recently and would like to make these betterment monies available to North Attleboro citizens once again. Residents would be eligible to apply for the funds only if their septic systems failed, and the applications would have to be processed and approved by the Board of Health according to strict DEP guidelines, but residents who might otherwise be unable to obtain commercial loans for such work may wish to take advantage of these funds. The Board may once again start to find applications being submitted for their consideration.

Vacation Consideration

Mr. Davis would like to take vacation time from October 9th through October 13, 2008, and the Members had no objection.

Venting/Nail Salons

The Chairman asked that Mr. Davis schedule a series of nail salon visits for him and Mr. Casper in the near future to check on ventilation systems, staff licensure and the other requirements of the Board's nail salon regulation.

ADJOURN:

There being no further business to discuss, a **MOTION** was made by Mr. Maslen to adjourn the meeting at 8:12 PM. Seconded: Mr. Donohue. No further discussion, motion passes 3-0.