

NORTH ATTLEBORO BOARD OF HEALTH

Meeting Minutes of
September 9, 2008 6:00 pm

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

Visitors: Lewis Reed/Wachusett Environmental; Johane Bernier, Diana Bell and Alicia Dawes from The Right Touch; Quyen Le and Lieu Nguyen from Nail Proplus; Thy Nguyen from Passion Nails.

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

MINUTES:

MOTION made by Mr. Maslen to accept the minutes of August 26, 2008 as written. Seconded: Mr. Donohue. No discussion, all in favor, motion passes 3-0.

LICENSES:

Lewis Reed came before the Members to answer questions with respect to his request for a Title V Inspector license.

MOTION made by Mr. Donohue to grant a Title V Inspector license to Lewis Reed/Wachusett Environmental of Holden, MA. Seconded: Mr. Maslen. Some discussion, all in favor, motion passes 3-0.

Johane Bernier came before the Members to answer questions with respect to her request for a Manicurist license to work at The Right Touch at 171 East Washington Street, N.A.

MOTION made by Mr. Donohue to grant a Manicurist license to Johane Bernier to work at The Right Touch at 171 East Washington Street, N.A. Seconded: Mr. Maslen. Some discussion, all in favor, motion passes 3-0.

Diana Bell came before the Members to answer questions with respect to her request for a Manicurist license to work at The Right Touch at 171 East Washington Street, N.A.

MOTION made by Mr. Donohue to grant a Manicurist license to Diana Bell to work at The Right Touch at 171 East Washington Street, N.A. contingent upon the office receiving a copy of her state manicurist license. Seconded: Mr. Maslen. Some discussion, all in favor, motion passes 3-0.

OLD BUSINESS:

MDPH Internship, Valerie Hastings

Valerie Hastings had put together a 10-year communicable disease project for the Health Department. Mr. Donohue commended that he wanted to make sure that both the Town Administrator, Mark Fisher and the School Department's Nurse Manager, Judy Aubin receive a copy of Ms. Hastings report.

Manicuring/Nail Salon Establishments

A letter will be sent to Nail and Hairdressing Establishments that haven't responded to applying for licenses. These establishments have an obligation to comply with the Town's Regulations and those requirements will be fully enforced come January 2009.

With such high turnover evident in the manicuring industry, Mr. Maslen questioned whether manicurists must reapply for another license with the Department when they relocate to another establishment in Town. Mr. Davis explained that manicurist licenses are employer-specific, and the \$25.00 license fee is waived when manicurists change employers in Town, but the manicurists must notify the Health Department when that does occur to keep their licenses valid. Mr. Maslen was also concerned with the regulatory language barrier increasingly evident within the Nail Salon industry, not only with its technicians, but often with owners and operators as well. Mr. Davis would like to produce a single printout of the same message in several different languages that can be included as necessary with any departmental material given or sent out, including manicurists' applications. The message would remind the reader in his/her own language that the Board of Health information enclosed, attached and/or handed out was important and that the reader should seek assistance to understand it and/or bring a translator with him/her to the Health Department or a Board of Health meeting to discuss it.

LICENSES:

Thy Nguyen came before the Members to answer questions with respect to her request for a Manicurist license to work at Passion Nails at the Emerald Square Mall.

MOTION made by Mr. Maslen to grant a Manicurist license to Thy Nguyen to work at Passion Nails at the Emerald Square Mall. Seconded: Mr. Donohue. Following considerable discussion with the applicant and others, all in favor, motion passes 3-0.

Lieu Nguyen came before the Members to answer questions with respect to her request for a Manicurist license to work at Nail Pro-Plus at the Emerald Square Mall.

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

Quyen T. Le came before the Members to answer questions with respect to her request for a Manicurist license to work at Nail Pro-Plus at the Emerald Square Mall.

MOTION made by Mr. Maslen to grant a Manicurist license to Quyen T. Le to work at Nail Pro-Plus at the Emerald Square Mall. Seconded: Mr. Donohue. Some additional discussion, all in favor, motion passes 3-0.

Alicia Dawes came before the Members to answer questions with respect to her request for a Hairdressing license for The Right Touch at 171 East Washington Street, N.A.

MOTION made by Mr. Donohue to grant a Hairdressing license for The Right Touch at 171 East Washington Street, N.A. Seconded: Mr. Maslen. Limited discussion, all in favor, motion passes 3-0.

Ms. Dawes, who was present during the preceding discussion with others about their manicuring licenses, also came before the Members to answer questions with respect to a Manicuring/Nail Salon Establishment license for The Right Touch at 171 East Washington Street, N.A.

MOTION made by Mr. Donohue to grant a Manicuring/Nail Salon Establishment license for The Right Touch at 171 East Washington Street, N.A. contingent upon the Health Agent's inspection. Seconded: Mr. Maslen. After more discussion, all in favor, motion passes 3-0.

COMPLAINT LOG:

82 Park Street

This apartment is unoccupied and a reinspection has been scheduled to be done.

Indulgence Nail Salon, 455 East Washington Street

After Indulgence puts in the proper ventilation the establishment will need to be reinspected.

22 North Washington Street

The tenant has vacated the property which allows the owner to correct the violations cited and make other repairs as necessary without regard to a short, obligatory time schedule, as long as the property is reinspected prior to reoccupancy.

Mrs. Field's Cookies

Rob Casper and Bob Davis have both inspected Mrs. Field's Cookies on different complaints recently. Mr. Davis will contact the owner vs. the local manager to pursue the required corrections.

NEW BUSINESS:

\$25 Burial Fees

The Members discussed a recent Superior Court case and ruling with respect to local health departments continuing to charge so-called "burial fees". A Fall River funeral director who was also an attorney has been challenging burial fees for years on behalf of his family's business. He has now won two separate cases involving Fall River, Attleboro, New Bedford and Taunton, and it is likely that he would continue to prevail in similar cases elsewhere given the most recent ruling. The Members discussed whether North Attleboro's Health Department should 1) wait until the Attorney General or the MDPH issued all health departments an order or advisory to stop charging such burial permit fees; 2) wait for our own fee to be challenged individually through the Courts, or; 3) discontinue charging the fee unilaterally.

MOTION made by Mr. Bates to stop charging for burial fees effective immediately. Seconded: Mr. Maslen. After additional discussion, all in favor, motion passes 3-0.

BOARD MEETING SCHEDULE:

The Members agreed to hold their October meetings on Tuesday, October 7, 2008 and Tuesday, October 28, 2008, and their November meetings on Wednesday, November, 5, 2008 and Wednesday, November 19, 2008, all at the Town Hall if possible, but at the North Attleboro Electric Department otherwise

ADJOURN:

There being no further business to discuss, a **MOTION** was made by Mr. Donohue to adjourn the meeting at 7:35 PM. Seconded: Mr. Maslen. No further discussion, motion passes 3-0.