

North Attleboro Board of Health  
Meeting Minutes of  
January 20, 2009 6:00 pm

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

Visitors: Thomas Pedro, Kristen Woodward & Matthew Woodward/ 351 Broadway;  
Ann & Steven Chapdelaine/111 High Street; Bonnie & Joseph Coggeshall of  
ShovelHeads Tatoos; Paul LaFratta, Electric Inspector

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

**351 BROADWAY:**

The owner of 351 Broadway, Kristen Woodward came before the Board to challenge an order to correct a flood light shining on two neighbors' homes, disturbing their sleep. Ms. Woodward explained that the light was required for her personal safety and described some of the efforts to keep it from disturbing the neighbors. Ms. Woodward's husband and other family members also spoke to the Board about the light and considerable discussion ensued. After a period of time, Chairman Bates invited the complainants to come forward and contribute to the discussion if they wished. Complainant Steven Chapdelaine came before the Members to answer the Members questions and further discuss the lighting problem. Mr. Chapdelaine also introduced electrical contractor and inspector Paul LaFratta, who offered an expert opinion on the matter and several suggestions as to how the flood light complaint might be abated. Ms. Woodward and others continued to speak as more discussion ensued.

**MOTION** was made by Mr. Maslen that the property owners make some corrections to the light within seven days and report to the Health Agent, with the full Board revisiting the issue at the next regular meeting on February 3, 2009. Seconded: Mr. Bates. After more discussion, all in favor, motion passes 3-0.

**BODY ART REGULATION AMENDMENTS:**

Bonnie and Joseph Coggeshall came before the Members to discuss proposed revisions to the Board's Body Art regulation with the Members. The Coggeshall's had previously requested that the Board consider certain changes which had been distributed to all, and to the Police Department, in draft form. Changes discussed were those recommending that the apprentice requirements should mirror the body art requirements, that minors 16 years old and up need to have parental consent and a photo ID for body piercing, that clients need to be 18 years old and up to get a tattoo, and others. Mr. Bates suggested that changes discussed be made to the current redraft of the Body Art regulation, distributed, and addressed again at the February 3, 2009 meeting. In the discussion, the Coggeshall's alluded to the possibility that there were unlicensed practitioners working in town as tattoo artists and the Members encouraged their identification, if known.

**MINUTES:**

**MOTION** made by Mr. Maslen to accept the minutes of January 6, 2009 as written. Seconded: Mr. Donohue. No discussion, all in favor, motion passes 3-0.

**HEALTH AGENT'S MONTHLY REPORT FOR DECEMBER 2008:**

Health Agent Rob Casper presented his report to the Members and answered the Members' questions.

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

**SERVSAFE MANAGER'S MEETING:**

Mr. Donohue has met with Mr. Davis and Mr. Casper to address the town's licensed food establishments and their compliance with the Board's requirements for current, certified food managers on all shifts when food is prepared or served. The Department records show that some establishments have only one certified food manager, when it is not likely that the same person is going to be there on every operating shift. Mr. Davis explained that a 3-step approach to address the problem has been agreed upon, including the agents asking for and faxing the certificates on-hand back to the Department whenever the establishments are inspected, Mr. Donohue visiting all food establishments with his own picture ID solely to check for current ServSafe certificates, and a 6-month recheck on subsequent compliance. The Members will discuss at a later date what action will be taken at 6-months if some establishments are in found to be in violation again with out-of-date certificates, not enough certified managers on staff, or similar issues. One such action may well be that the licenses of appropriately forewarned establishments are suspended for a day or more.

**100 TOWNE STREET:**

In 2007, homeowners William & Valerie Paynton of 100 Towne Street were ordered to upgrade their failed cesspool to an approved subsurface sewage disposal system, or tie into the municipal sewer system no later than December 27, 2008. In the interim, they were also advised to have the cesspool pumped every 12 weeks, but pumping records indicate they have not done so. Attorney David Manoogian now represents the Paynton's and has requested a public hearing on February 3, 2009 before the Board to ask the Board's consideration because the DPW will be installing sewer on Towne Street in the spring of 2009. Mr. Davis also reported that the Paynton's have resumed a cesspool pumping schedule again, which started today with Cavaliere's.

**MILL RIVER/CUSHMAN VILLAGE RESPONSE:**

Daniel Ottenheimer of Mill River Consulting copied the Department with a response to Tilton & Associates with respect to the Cushman Village project. Contrary to the developer's assertions at the last Board meeting, Mr. Ottenheimer references 310 CMR 15.211 (1)(5) of the state code in his response, noting that placement of an onsite wastewater system on another parcel of land is indeed prohibited, which is what Tilton & Associates wants to do on Lots 4 & 5 in Cushman Village.

**CIP MEETING:**

Mr. Davis met with the Town Administrator and his Financial Committee on the Health Department's request for a replacement truck again in the coming budget year. The Town Administrator and committee agreed that the truck needs to be replaced, and went on to inform Mr. Davis that when the Police Department purchases two new vehicles, the Board of Health will be in line for one of their used vehicles being replaced.

**FY10 BUDGETING:**

Mr. Davis will be attending an important budget meeting with the Town Administrator and all department heads on January 21, 2009. The Members agreed that they will meet to discuss the Health Department's budget themselves after that meeting. Mr. Davis explained that the Town Administrator has asked all departments to propose "level funding" their FY10 budgets, including all negotiated salary and wage increases, at the FY09 gross dollar amount and prepare a second budget of 5% less than that. This means the Health Department will need to cut at least \$13,488.16 from its current budget for FY10 and submit a second budget with at least \$24,433.16 in cuts as well. In the discussion that followed, it was agreed that the Members should invite Mr. Fisher to a February Board meeting to discuss such a budget impact on the Department and explain the loss of public health services likely to result, including many that are mandated by law. Also discussed was the possibility of contacting Senator Brown and Representative Poirier to inform them of the Board's concern for the loss of these services and their impact the Public Health of this Community.

**COMPLAINT LOG:**

351 Broadway

The homeowners were given 7 days to correct the lighting issue at 351 Broadway..

60 High Street

The owner of 60 High Street continues to correct housing issues.

232 Chestnut Street apt 2

Mr. Davis has spoken with the owner of 232 Chestnut Street regarding the inadequate hot water supply, a reinspection will be required.

189 Commonwealth Avenue

The complaint from 189 Commonwealth Avenue was received including several housing issues, but a phone number was not included. Mr. Davis wrote asking the tenant to call to arrange an inspection, but the tenant has not replied.

Nail Salons

Adequate ventilation must be in place in North Attleboro's Nail Salons by January 2009 and will begin to be enforced.

**ADJOURN:**

There being no further business to discuss, a **MOTION** was made by Mr. Donohue to adjourn the meeting at 8:40 PM. Seconded: Mr. Maslen. No further discussion, motion passes 3-0.