

## NORTH ATTLEBORO BOARD OF HEALTH

Meeting Minutes of  
April 13, 2010 6:00 pm

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

Visitors: Stephen Gilbert of SFG Associates Inc.; Kai Zheng from Shogun Hibachi & Asian Garden Inc.; Attorney Kenneth O'Donnell representing the owner of 142 May Street, Thomas O'Donnell

Mr. Davis opened the meeting at 6:00 PM.

### **REORGANIZATION OF THE BOARD:**

Mr. Davis welcomed the public to the meeting, introduced the members of the Board and explained that with Mr. Donohue's most recent reelection to the Board for a 3-year term, that this was the meeting wherein the Board reorganizes itself each year. Mr. Davis opened the discussion asking for nominations for Chairman of the Board and Liaison appointments.

**MOTION** made by Mr. Donohue to nominate Mr. Bates to serve as Chairman of the Board for the following year. Seconded: Mr. Maslen. No further nominations, no further discussion, all in favor, no one opposed, motion passes 3-0.

Immediately following Mr. Bates' reappointment as Chairman, the meeting was returned to his control.

**MOTION** made by Mr. Donohue for the Members to keep the same liaison assignments as last year. Seconded: Mr. Maslen. No further discussion, all in favor, no one opposed, motion passes 3-0.

### **LICENSES:**

Kai Zheng came before the Members to answer questions regarding his application for a Food Service & Ice Cream license for Shogun Hibachi & Asian Garden Inc. of North Attleboro, MA.

**MOTION** made by Mr. Donohue to grant a Food Service & Ice Cream license for Shogun Hibachi & Asian Garden Inc. at 206 East Washington Street, North Attleboro contingent upon inspection by a Health Agent. Seconded: Mr. Maslen. Mr. Davis will need to check with the Federal Food Code to see if a variance is needed for live fish. No further discussion, all in favor, motion passes 3-0.

Stephen Gilbert came before the Members to answer questions regarding his application and that of his co-worker Bradley Fitzgerald to perform engineering in North Attleboro for SFG Associates Inc. of Lakeville, MA. Mr. Bradley did not appear however, and only one fee had been paid for Mr. Gilbert.

**MOTION** made by Mr. Donohue to grant Stephen Gilbert a license to perform engineering for SFG Associates Inc. in North Attleboro and, to grant Bradley Fitzgerald a similar license contingent upon completion of his own application and payment of his own required fee. Seconded: Mr. Maslen. After some additional discussion, all in favor, motion passes 3-0.

### **142 MAY STREET:**

Attorney Kenneth O'Donnell requested a hearing before the Board to discuss the minimum housing violations previously cited at his property at 142 May Street. Mr. O'Donnell reviewed the status of the property and answered the Members' questions.

**MOTION** made by Mr. Donohue to: (1) waive the time limits cited for abatement for violations #1 through 34, contingent upon the property passing the Health Department's reinspection

before it was occupied again and; (2) cleaning up violation #35 regarding the exterior of the property within 30 days, as well as; (3) dismantling and disposing of an unlocked refrigerator as soon as possible, together with its decaying food that the previous tenant had left in it outside on a porch. Seconded: Mr. Maslen. After discussion, all in favor, motion passes 3-0.

#### **MINUTES:**

**MOTION** made by Mr. Maslen to accept the minutes of March 23, 2010 as written. Seconded: Mr. Donohue. No discussion, all in favor, motion passes 3-0.

#### **HEALTH NURSE'S MONTHLY REPORT FOR MARCH 2010:**

Anne Marie Fleming came before the Board to present her Monthly Report for March 2010 and answer the Members' questions on it.

**MOTION** made by Mr. Donohue to accept the Nurse's Monthly Report for March 2010 as written. Seconded: Mr. Maslen. After thorough discussion, all in favor, motion passes 3-0.

#### **HEALTH AGENT'S MONTHLY REPORT FOR MARCH 2010:**

Mr. Davis reported that Assistant Agent Rob Casper was unable to make the meeting and render his report.

**MOTION** made by Mr. Donohue to table the Health Agent's Monthly Report for March 2010 until the next Board meeting. Seconded Mr. Maslen. No discussion, all in favor, motion passes 3-0.

#### **AUTHORIZATION & APPROVAL OF PAYROLL & INVOICES:**

Mr. Davis explained that with the annual reorganization of the Town's boards and commissions, the Town's annual requirement to reestablish appropriate signatory authorities was necessary.

**MOTION** was made by Mr. Donohue that any two current Members of the Board of Health shall have signatory authority to sign Town invoices or bill schedules for payment. Seconded: Mr. Maslen. No discussion, all in favor, motion passes 3-0.

**MOTION** made by Mr. Donohue for Health Director & Agent Robert Davis to be the designated person authorized to sign the Health Department payroll, or in the absence of Mr. Davis, any current majority of the elected Members of the Board of Health shall have signatory authority to sign said payroll. Seconded: Mr. Maslen. No discussion, all in favor, motion passes 3-0.

#### **OLD BUSINESS:**

##### Septic Regulations

A revised draft of updated Septic Regulations is not yet ready for the Members' review.

##### Floor Drain Regulations

Mr. Davis has obtained a definition and some enforcement language to cut and paste into the Floor Drain Regulations, hopefully bringing it to the point of a final draft for the Members' consideration.

##### Trash Recycling Regulations

Mr. Davis continues to work with the Landfill Director, Michele Bernier adding some definitions and other refinements to a revised draft of Trash Recycling Regulations. Ms. Bernier will be invited to the next Board meeting on April 27, 2010.

##### e-Cigarettes

Police Chief Gould has made some suggestions for slight modifications to the e-Cigarette draft regulation. Those suggestions will be incorporated and a final draft passed on to Town Counsel for his review and presumptive approval prior to the next meeting. With luck, the new regulation will be ready for the Members to adopt and sign at the next meeting for implementation on May 1<sup>st</sup>.

### SUV Repairs

The Health Department's SUV needs almost \$5,000 of repairs needed according to the City garage and a local Ford dealer. The department has already had to pay more than \$100 for a new battery and a computerized key since getting the vehicle, and its budget has no allowance whatsoever for such costs this year. Mark Fisher would like to get a second opinion for the repairs needed and return the vehicle to the Department's use as soon as possible.

### Consulting Engineering RFP

Town Planner, Mary Burgess is wrapping up the last of the details on the Single Consulting Engineering RFP, so that she can begin taking applications for the position.

**MOTION** made by Mr. Donohue to designate Don Bates, John Donohue and Robert Davis as representatives of the Board of Health on the committee for the Consulting Engineer selection.

Seconded: Mr. Maslen. After discussion, all in favor, motion passes 3-0.

### Summons

A minimum housing complainant has brought action against his landlord and his attorney has summoned Mr. Davis to court for his testimony rather than utilizing the Health Department's record of the violations found.

### Christina Estates

A request has been made by the Conservation Commission Agent to consider recalling applicable Town Boards and Committees for a joint workshop on Christina Estates. After discussion, Mr. Bates and Mr. Maslen agreed to attend such a meeting if necessary.

### **COMPLAINTS:**

Due to flooding and relocation disruptions, the same degree of attention has not been able to be afforded to the complaint log, although complaints continue to come in and get their requested inspections. More updating will be possible as less and less attention must be devoted to flood-related work.

### **NEW BUSINESS:**

#### Flood & Dislocation

Keith Mueller and Thor Nielson of the IT Department have been very helpful hooking up the staff with laptop computers and phones to use in the Health Department's temporary quarters at the DPW's public meeting room. The DPW staff has been very gracious to let us use their conference room and any of their equipment such as a fax or copy machine while we are displaced. Although operational, we have limited access to the Health Department's file's and file cabinets that have been stored in a trailer at the Town Hall. Meanwhile, the department itself has been stripped completely down at Town Hall right to the soaked cinder blocks, with 100% of the rugs and the ceilings already removed.

Mr. Fisher has advised Mr. Davis that now is the time to make any changes to the setup of the offices and Mr. Davis will be distributing a schematic of the space we have to all the Members to invite their input accordingly. The flood poses an opportunity to finally have a public counter installed inside the main Health Office. Mr. Davis also reported that he has put together a list of at least 23 pieces of equipment that will need to be replaced due to the water damage they have incurred.

### **MEETINGS:**

The Members agreed to hold their May meetings on Monday, May 10, 2010 and Wednesday, May 26, 2010, both at 6:00 PM and hopefully at the Police Facility.

**DIRECTOR'S REPORT:**

2010 PHER III Grant Funds

After discussion, the Members agreed to sign a letter addressed to the Town Accountant properly requesting use of a portion of its 2010 PHER III grant funds to satisfy payment to the North Attleboro Public School Department for the substitute nurses and clerical staff it used working on H1N1 vaccinations in the schools themselves and at the Health Department's January 2<sup>nd</sup> & January 30, 2010 Emergency Preparedness Drill/Flu Clinics held at the North Attleboro High School.

**LETTER OF SUPPORT:**

Mr. Davis reported sending a letter of support on behalf of the Board for Cheryl Sabarro, the MAHB Attorney, for her continued funding through the State Department of Public Health.

**SPECIAL TOWN MEETING:**

The last day for the Board to submit articles for the June 7<sup>th</sup> Special Town Meeting is April 23, 2010.

**ADJOURN:**

There being no further business to discuss, a **MOTION** was made by Mr. Maslen to adjourn the meeting at 8:01 PM. Seconded: Mr. Donohue. No further discussion, motion passes 3-0.