

NORTH ATTLEBORO BOARD OF HEALTH

Meeting Minutes of
February 9, 2010 6:00 pm

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

Visitors: Joe Coggeshall & David Johnson from Shovelheads; Linda Rossi & Joe Clemente from Nettie's Kettle Corn; Carol Lewicki of Lewicki Plain Street Properties; John Caponigro of Caponigro Construction

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

LICENSES:

Joe Clemente and Linda Rossi came before the Members to answer questions regarding their application for a Retail Food license for Nettie's Kettle Corn. Mr. Clemente wishes to participate in the Winter Farmers' Market with his products.

MOTION made by Mr. Donohue to grant a Retail Food license for Nettie's Kettle Corn of North Providence, RI. Seconded: Mr. Maslen. After discussion, all in favor, motion passes 3-0.

John Caponigro came before the Members to answer questions regarding his application for a Disposal Works Installer license.

MOTION made by Mr. Donohue to grant a Disposal Works Installer license for John Caponigro of Rehoboth, MA. Seconded: Mr. Maslen. After discussion, all in favor, motion passes 3-0.

MOTION made by Mr. Donohue to grant the North Attleboro Animal Control & Shelter a Temporary Food license for the 10th Annual Strut Your Mutt to be held at the North Attleboro Middle School on May 15, 2010. Seconded: Mr. Maslen. Noting that this was a recurring request for an annual event, there was no further discussion, all in favor, motion passes 3-0.

215 PLAIN STREET:

Carol Lewicki came before the Members to discuss a potential tenant and non-standard rental at 215 Plain Street by which they are requesting a letter of support for a variance needed from the Zoning Board. The proposed business tenant is Aftermath, Inc., a mobile cleanup services company for crime scenes and other tragedies, which intends to use the location for its employee meetings and base of operations, with minimal chemical or other storage on-site. No manufacturing or chemical use will be conducted on the premises.

MOTION was made by Mr. Maslen to send a letter of support for the variance required by the ZBA for the proposed business known as Aftermath, Inc. to use the facility strictly for storage for chemicals at 215 Plain Street, with copies of the letter sent to the Building Department and the Department of Environmental Protection. Seconded: Mr. Donohue. After discussion, all in favor, motion passes 3-0.

LICENSES CONTINUED:

David Johnson came before the Members to answer questions regarding his application for a Body Art Apprentice Practitioner license.

MOTION made by Mr. Donohue to grant a Body Art Apprentice Practitioner license to David Johnson of 80 Broadway, North Attleboro, MA. Seconded: Mr. Maslen. After discussion, all in favor, motion passes 3-0.

HEALTH NURSE’S MONTHLY REPORT FOR JANUARY 2010:

Following the Health Nurse’s presentation, a **MOTION** was made by Mr. Donohue to accept her Monthly Report for January, 2010. Seconded: Mr. Maslen. After discussion, all in favor, motion passes 3-0.

HEALTH AGENT’S MONTHLY REPORT FOR JANUARY 2010:

Following the Health Agent’s presentation, a **MOTION** was made by Mr. Maslen to accept his Monthly Report for January 2010. Seconded: Mr. Donohue. After discussion, all in favor, motion passes 3-0.

MINUTES:

MOTION made by Mr. Donohue to accept the minutes of January 12, 2010 as written. Seconded: Mr. Maslen. After discussion, all in favor, motion passes 3-0.

MOTION made by Mr. Donohue to accept the minutes of January 26, 2010 as written. Seconded: Mr. Maslen. After discussion, all in favor, motion passes 3-0.

NEW SCHOOL FOOD SERVICE DIRECTOR:

Mary Seviti is the new Food Service Director for the North Attleboro school system. The School Department is supposed to keep a certain amount food on hand and in stock to respond if necessary in an emergency such as a hurricane. Members asked that the Health Department connect with the new Food Service Director to review the plans in place for the schools’ shelter and feeding programs.

DEPARTMENT OF PUBLIC WORKS:

The Department of Public Works should be invited to the next Board of Health meeting to discuss the Boards’ proposed draft of floor drain regulations. The Department of Environmental Protection is anxious for North Attleboro to have mandatory floor drain regulations in place. The Board would like to know from the DPW what specific districts in Town would be mandated to have such floor drain regulations in place.

FY11 BUDGET:

Mr. Davis has submitted a proposed budget for the Department for FY11 totaling ~\$237,000 to the Town Administrator, effectively restoring the cuts made to the FY09 budget last year. In addition, he has also submitted a CIP request for FY11 requesting a second vehicle for the Health Department. Mr. Davis plans to attend a CIP meeting on February 18th to discuss the request with the Finance Committee.

SINGLE CONSULTING ENGINEER REVIEW:

Mr. Bates met with Mark Fisher and representatives from the Planning Board and the Conservation Commission to further discuss how best to hire a single consulting engineer to serve all three boards. The Memorandum of Understanding proposed by the group was distributed to all the Members and discussed.

MOTION made by Mr. Maslen for the Board of Health to support the proposed Memorandum of Understanding between the Planning Board, Conservation Commission and the Board of Health to hire a single Consulting Engineer/Firm to provide services that would provide services to each. Seconded: Mr. Donohue. After discussion, all in favor, motion passes 3-0.

BURIAL PERMITS:

The Health Department has not continued to charge a fee for its burial permits since a lawsuit had determined it to be illegal. However, Mr. Maslen reported reading about a recent court decision overturning the earlier decision. Mr. Davis will check with Atty. Cheryl Sbarra from MAHB to inquire about charging a fee for burial permits.

COMPLAINT LOG:

Showcase Cinemas

After receiving several complaints of soap dispensers being empty at the Showcase Cinemas, Mr. Davis inspected and found 4 of the 32 dispenser not working mechanically, but that there was indeed soap in each. The cinema manager agreed to fix or replace the 4 defective units immediately.

145 Broad Street #7

The tenant in this apartment was reluctant to make waves with her uncooperative landlord, but was compelled to call the Health Department when the bathroom ceiling fell down. Once cited, the landlord was reportedly outraged but did begin the correction process of the problem.

22 Commonwealth Avenue

A significant amount of trash was strewn about the yard and stacked on the sidewalk in bags in front of this property. The listed owner of the property was cited, then fined \$100 for non-compliance, only to subsequently discover that the property had changed ownership after all. Once the correct owner was identified and found, the trash was picked up and disposed of the same day.

119 East Street #3

Mr. Bates accompanied Mr. Davis on a routine heat violation of this apartment where several other violations were found. The tenant has already begun to sue the landlord for these and other problems with the apartment and is anxious to receive the Health Department's documentation to further press his case, but the paperwork remains in the queue to be done in relation to the volume of other matters at hand.

THE SALE OF E-CIGARETTES:

E-cigarettes are battery operated devices that contain nicotine and are being sold to minors. At the Members' request, Mr. Davis will ask for a copy of the model regulation available and distribute it to the Board Members at their next Board meeting. The model regulation purports to restrict the sale of such e-cigarettes to adults only, bans sampling, bans the use of e-cigarettes in all smoke-free establishments, and also requires a separate permit for "nicotine delivery products" such as those required with e-cigarettes.

MEETINGS:

The Members agreed to hold their March meetings on Tuesday, March 9, 2010 and Tuesday, March 23, 2010, both at 6:00 PM and hopefully at the North Attleboro Town Hall.

DIRECTOR'S REPORT:

L.A. Roberts

The Health Department has been asked to issue a refund to the self-described new owner of L.A. Roberts for a double licensing fee of \$400.00 previously paid for the establishment's Food Service and Ice Cream licenses. There are questions of precedence, actual ownership, who to issue the refund (if any) to, and even more issues to sort out before any refund would be in order, but the matter seems even more complicated than that. Mr. Davis intends to speak with the clerk from the Selectmen's office on Thursday to shed some light on the request and change of ownership in question.

ADJOURN:

There being no further business to discuss, a **MOTION** was made by Mr. Donohue to adjourn the meeting at 7:36 PM. Seconded: Mr. Maslen. No further discussion, motion passes 3-0.