



TOWN OF NORTHBRIDGE BOARD OF HEALTH

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The Northbridge Board of Health approved these minutes at a meeting held August 21, 2018.

MEETING MINUTES ~ JULY 17, 2018

This meeting was called to order at 7:00 PM by Mr. Paul McKeon, Chairman. Other members present were Mr. Chris Cella, Ms. Lani Criasia and Mr. Steve Garabedian. Mr. Scott Chase was absent. Also present was Jeanne M. Gniadek, Administrator.

Reorganization of Board of Health: Motion made by Mr. Garabedian that Mr. McKeon continue to serve as Chairman; Ms. Criasia as Vice-Chair; and Mr. Chase as Clerk. Motion seconded by Mr. Cella; the vote was all in favor.

Minutes: Motion made by Mr. Cella to accept the minutes of **June 19, 2018**. Motion seconded by Mr. Garabedian. The vote was 4-0 in favor.

Youth Access Tobacco Compliance Check Violation – Sales to Minors: Present for this meeting were Brian Hartwick, District Manager, and Kayla Raposo, Store Manager, representing **Speedway #2415**, and Mike Mustafa, representing **Cloud 9 Vape & Smoke Shop**. Both of these establishments sold a JUUL tobacco product to a minor during a compliance check conducted on June 16, 2018.

Speedway: Mr. Hartwick stated that Speedway has its own policy regarding compliance checks as they do their own internal checks called BARS. If it's an internal compliance check the employee gets a warning on his first offense, if it's a state, federal or local compliance check the employee gets terminated on his first offense. Mr. Hartwick stated that the employee that sold the tobacco product during the Board's compliance check has been terminated. He further stated that employees are reminded daily through a sign-off program that they are not to sell tobacco to anyone under the age of 18. Mr. Hartwick provided the Board with their Tobacco ID policy and sign off sheet. The Board was glad to see that they have a no tolerance policy for the sale of tobacco products to minors.

Cloud 9: Mr. Mustafa stated that it was one of his partners that sold tobacco that day. He stated that he has been removed from "operations". Mr. Mustafa provided the Board with a copy of its Tobacco Sales Policy and Employee Acknowledgement of Policy. He stated that he intends to conduct his own compliance checks at the store to make sure there are no further sales to minors.

Mr. Mustafa stated that he has numerous signs in his store and a sign at the entrance stating that you must be 18 years old to purchase products in the store. Mr. Mustafa provided the Board with a picture of a hand written sign that says "CHECK FOR ID" – he stated that the man who sold put that sign at the cash register.

Mr. Cella stated he was confused that the employee that sold is making signs to check ID when it does no good if he's still selling to kids. Mr. Cella brought up the fact that Mr. Mustafa was previously before the Board for a violation that occurred at another tobacco retail store under his management in this town and his concern that there will continue to be non-compliance issues at these stores.

The Board reminded Mr. Mustafa that a second violation within the next 24 months will result in an additional penalty of \$200 along with the suspension of his license for 15 days. Mr. Mustafa stated he is aware of that.

Board of Health Regulations & Policies – Smoking and Tobacco – Youth Access Regulations: A brief discussion took place regarding tobacco regulations and fines. Ms. Criasia asked that this matter be tabled to allow additional time to review the MAHB model regulations.

Motion to table this matter to the next meeting made by Ms. Criasia; motion seconded by Mr. Garabedian. The vote was all in favor.

Board of Health Regulations & Policies – Installer Policy: The Board reviewed proposed amendments to its Installer Policy governing septic system installations and installer requirements. The amendments were proposed to allow the office to refuse the issuance of a construction permit to any installer that is delinquent in returning the required paperwork and documentation for a septic system installation that he/she has completed but has not yet provided to the office.

Motion made by Mr. Cella to adopt amendments to the Installer Inspection Procedure Policy as drafted providing a 30-day timeframe for the installer to submit his paperwork at the conclusion of his septic system installation. Motion seconded by Ms. Criasia; the vote was all in favor.

Solid Waste Transfer Station – Tom Berkowitz Trucking: The Board reviewed a notice from James Berkowitz, Tom Berkowitz Trucking, Inc., regarding two proposed changes to the operation of this solid waste transfer station.

Mr. James Berkowitz was present to explain these changes. Mr. Berkowitz stated that the first change is the replacement of the truck scale. The existing scale requires trucks to back onto the scale; the new scale will be a drive-on / drive-off scale. The scale has already been purchased and noted that it will take about one week to install. It was noted that the new location of the scale would increase safety at this site.

The second proposed change is accepting source separated roofing materials for recycling. Mr. Berkowitz stated that this is defined as Recycling so it is allowed but that the DEP wanted acknowledgement by the Board of Health of the proposed operational changes. Mr. Berkowitz stated that they would be recycling the shingles and has several recycling plants available to bring these materials. He further stated that the DEP is requiring that at least two people at this facility receive asbestos training. Mr. Berkowitz stated that he and several other employees will get trained. He further noted that asbestos is no longer in shingles but could be present in shingles that are 50 years old or more.

Mr. Garabedian made motion to approve the proposed operational changes at this solid waste facility; motion seconded by Mr. McKeon. Mr. Cella amended the motion to include the requirement that a minimum of two employees receive asbestos training. The vote on the motion as amended was all in favor.

Quaker Street Landfill - Update: The Board reviewed correspondence from Sovereign Consulting detailing the results of the residential well sampling conducted on June 18, 2018. This sampling was a result of the detection of 1,4-dioxane in a residential drinking water well at 1201 Quaker Street and MW-2 (Monitoring Well #2) at the landfill.

Eleven wells were tested; three showed contamination. 11 Mendon Road was elevated for lead; 1240 Quaker Street was elevated for 1,4-dioxane; and 1256 Quaker Street showed an elevated level of tetrachloroethene. Due to the finding of these contaminants, additional wells located at 63 Carroll Road and 1282 Quaker Street will need to be tested and these 3 wells will need to be re-tested.

The Board reviewed a Scope of Work from Sovereign Consulting to re-test the three wells and to conduct new testing at the two additional wells. Cost for this work is \$4,567.00.

Samples from these five wells were collected on July 16, 2018 – expected turn around lab time is 10 days. Ms. Gniadek informed the Board that they will likely need to place an article on the Fall Annual Town Meeting for these additional costs at the landfill.

Old & New Business:

Health Inspector Recommendation: Ms. Gniadek informed the Board that she had received four expressions of interest in the part-time health inspector position. Her recommendation in support of hiring Ms. Jamie Terry, RS, was presented to the Board. She explained that the Board must now issue a recommendation to the Town manager for his appointment and affirmation by the Board of Selectmen.

Motion made by Mr. Garabedian that the Board recommend to the Town Manager the appointment of Ms. Jamie Terry, RS, to the part-time position of Health Inspector. Motion seconded by Mr. Cella; the vote was all in favor.

Region 2 Public Health – Delegation of Representative for the Town of Northbridge: Ms. Gniadek informed that the Board that this delegation is done annually and is being requested by Region 2 Public Health at this time. **Motion was made by Ms. Criasia that Jeanne Gniadek continue to serve as the Northbridge Board of Health representative at Region 2 Public Health meetings. Motion seconded by Mr. McKeon; the vote was all in favor.**

Citizen's Forum: *No one present for Citizens Forum.*

Correspondence: NONE

There being no further business, motion to adjourn at 8:10 PM was made by Mr. Garabedian and seconded by Mr. Cella – all in favor.

Attested by,

Jeanne M. Gniadek, Administrator

List of Documents utilized by Board of Health
Meeting Date: July 17, 2018

- A. Annual Re-Organization of Board
 - 1) Committee Organization Form
- B. Meeting Minutes
 - 2) June 19, 2018 DRAFT Meeting Minutes
- C. Youth Access Tobacco Compliance Checks
 - 3) Speedway #2415: a) Letter (June 20, 2018 – Certified Mail); b) Tobacco Compliance Check Form dated 6-16-18; and c) Notice of Violation Ticket# 616
 - 4) Cloud 9 Smoke & Vape Shop: a) Letter (June 20, 2018 – Certified Mail); b) Tobacco Compliance Check Form dated 6-16-18; and c) Notice of Violation Ticket# 615
- D. Board of Health Regulations & Policies
 - 5) Smoking and Tobacco Regulations: a) Current BOH regulations; b) Model MAHB tobacco regulations; and c) Tobacco permit fees
 - 6) Installer Policy: a) DRAFT policy with amendments; b) S201-5(D) BOH regulations; and c) 310 CMR 15.019 & 15.021(3)
- E. Solid Waste Transfer Station
 - 7) Tom Berkowitz Trucking Letter dated June 18, 2018 – proposed operational changes
- F. Quake Street landfill
 - 8) Sovereign Consulting Letter dated July 10, 2018 – results of June 18, 2018 well sampling; Sovereign Consulting July 6 2018 Scope of Work / Response Actions
- G. Old & New Business
 - 9) Health Inspector Recommendation: Memorandum dated July 12, 2018 w/Applications/Resumes
 - 10) Region 2 PH – Delegation of Town Representative – Email dated July 2, 2018
- H. Citizens' Forum - None
- I. Correspondence
 - 11) Miscellaneous - NONE