



TOWN OF NORTHBRIDGE BOARD OF HEALTH

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The Northbridge Board of Health approved these minutes at a meeting held March 25, 2014.

MEETING MINUTES - February 4, 2014

This meeting was called to order at 6:00 PM by Mr. Paul McKeon, Chairman. Other members present were Ms. Ann Marie Thompson, Mr. Steve Garabedian, and Mr. Scott Chase. Mr. Chris Cella was absent. Also present was Jeanne M. Gniadek, Administrator.

Minutes: Motion made by Ms. Thompson to accept the minutes of **November 12, 2013**. Motion seconded by Mr. Garabedian; the vote was 3-0 in favor – Mr. Chase abstained.

Motion made by Ms. Thompson to accept the minutes of **January 28, 2014**. Motion seconded by Mr. Garabedian; the vote was 3-0 in favor – Mr. McKeon abstained.

DEP FY 14 In-Kind Technical Assistance Project: Present for this discussion was Mr. Theodore Kozak, Town Manager. Ms. Irene Congdon, Municipal Assistance Coordinator for the Massachusetts Department of Environmental Protection, was stuck in traffic but via speaker-phone was able to provide the Board with an overview of the project.

Ms. Congdon stated that the RFP (Request for Proposal) would be to solicit bids for a town-wide contract for the collection of trash and recyclables (single stream) with the provision that carts, likely 64-gallon, be provided to households for each. The RFP will be for 1-3 family dwelling units. Options for billing residents will also be included, whether the billing is done by the hauler or by the Town. This would be an “opt-out” program where all residents would be billed and if they choose to stay with their own hauler they would opt out of the program. This was necessary, Ms. Congdon explained, because many residents pay for their current trash service on a quarterly or an annual basis, so they may have already paid for trash collection and would not want to pay again, so they can opt out of the program and opt in when they choose.

Ms. Congdon explained that the RFP is in draft format at this time and would soon be ready for review by the Board of Selectmen and Town Counsel.

Ms. Congdon stated that there are only 25 towns in Massachusetts that utilize private haulers for trash pick up the way that Northbridge does. She stated that 10 of these towns are located in central Massachusetts.

Mr. Garabedian expressed his concern that the Board of Health office would be bombarded with phone calls from residents. He stated that he is witness to this in the Town of Milford where he works. He stated that the Milford Board of Health office gets phone calls from residents about pick up times, and dates, and even questions on why the hauler did not remove an item they left out for pick up.

Mr. McKeon questioned billing. Mr. Kozak replied that the Town would be looking at establishing an enterprise fund to address billing – the cost of billing would not be paid for through the tax base.

Board of Health Regulations – Recreational Camp for Children - Definition: Ms. Gniadek informed the Board that Massachusetts Department of Public Health (MDPH) regulations define a recreational camp for children as a camp that operates for a minimum of 5 days over a two-week period. The Board adopted a local regulation defining a camp as one that operates for 3 days over a two-week period. This was established in essence to close the loophole for camps that operate for 4 days.

Ms. Gniadek stated her concern that although MDPH regulations require that CORI and SORI's be conducted on all staff and volunteers for camps, they do not establish hiring guidelines – these are established by each camp. So, you could have a camp that hires someone with a CORI or SORI that is “questionable”, yet, the Board would still be required to provide that camp a license. The question that arises at conferences that she attends is how if something happens, it would reflect poorly on the Board of Health for issuing a license to a camp that we know has hired an individual with what we would deem an unacceptable CORI/SORI report.

This matter was tabled to the next Board of Health meeting for further discussion.

Board of Health Regulations – Medical Marijuana: The Board tabled this matter so that Mr. Cella could contribute to the discussion at a later meeting.

29 Chipper Hill Road – Title 5 Inspection Reports: The Board reviewed a draft letter prepared by Malley Engineering, Agent to the Board of Health, as a response to the two conflicting Title 5 inspection reports, one Pass/one Fail, for property at 29 Chipper Hill Road. The letter states that due to the conflicting data in the two Title 5 inspection report submittals as well as the fact that this property is listed as a 4-bedroom dwelling (septic was designed for only 3 bedrooms) that the Board deems the system in failure and that it must be upgraded.

Motion made by Mr. Garabedian to issue letter from Board that deems the septic system at 29 Chipper Hill Road to be in failure as noted in the first Title 5 inspection report that was received in the Board of Health office. Motion seconded by Ms. Thompson; the vote was all in favor.

Old & New Business : Massage Establishments: Ms. Gniadek informed the Board that the question of licensing of massage establishments in Northbridge was recently brought to her attention. When she checked the Board of Registration web site she found that there were no establishments licensed under the 01588 or 01534 zip code. Ms. Gniadek stated that she sent an email to the Board of Registration with a brief listing of known massage establishments operating in the Town of Northbridge and was told that for them to do anything a formal complaint had to be filed with their Office of Investigation. She stated that she informed the Board of Registration that she would discuss the matter with the Board of Health to determine how they wished to proceed. Since then, the Board of Registration has replied that they will be forwarding the list of establishments sent to them to their Office of Investigation for follow up. Mr. Garabedian stated that since the local Board of Health is no longer involved with the permitting and inspection of massage establishments, that all future concerns or complaints should be advised that they need to contact the Board of Registration directly.

The Grill: Ms. Gniadek informed the Board that she had come across a Facebook page for the “Rockdale Sports Bar” located at 2043 Providence Road, which is where The Grill is located. She provided the Board with a printout of the Facebook pages which noted some food offerings such as a crock pot of American chop suey, pulled pork sandwiches, Italian grinders, “Brian’s jambalya”, and

“Charlene’s” meatballs and sausage with a side of ziti. Ms. Gniadek informed the Board that this establishment is limited to the service of pre-packaged foods and microwaveable items such as popcorn and pizza as they do not have a full kitchen setup. Ms. Gniadek informed the Board that it is her understanding that the establishment is in the process of being leased/sold to another individual but at this time, ownership and responsibility remains with The Pardee Group/John Pardee.

Motion made by Mr. Garabedian to issue a Cease & Desist to The Grill from any further food service operations beyond the scope of their permit. Motion seconded by Ms. Thompson; the vote was all in favor.

In another matter regarding **The Grill**, Ms. Gniadek informed the Board that Mr. Pardee contacted the office regarding holding meat raffles at this establishment. Ms. Gniadek informed the Board that according to the Town Clerk the holder of a meat raffle must obtain a Raffle Permit from her office. Raffle permit regulations dictate that only non-profit groups can obtain a raffle permit. The Town Clerk advised that The Grill could “host” a meat raffle for a non-profit entity that holds a raffle permit.

Board members stated that The Gray Barn holds meat raffles. The Board advised Ms. Gniadek to send notice to the Town Clerk that they believe The Gray Barn holds meat raffles.

Blackstone Valley Regional Emergency Planning Committee (BVREPC): Ms. Gniadek informed the Board that the next meeting of the BVREPC is to be held on Thursday, February 13, 2014 and that anyone who wishes to attend may do so. Also, if any Board members want to be placed on their email list, they should let her know.

Correspondence: The following correspondence was distributed to the Board:

- *Memorandum: Spring Annual Town Meeting – May 16, 2014*
- *Email from resident indicating that they are looking into legal action due to the Board’s regulations banning drug paraphernalia in the Town of Northbridge*

There being no further business, motion to adjourn at 7:35 PM was made by Mr. Chase and seconded by Mr. Garabedian – all in favor.

Attested by,

Jeanne M. Gniadek, Administrator

List of Documents utilized by Board of Health
Meeting Date: February 4, 2014

- 1) DRAFT Meeting Minutes of November 12, 2013
- 2) DRAFT Meeting Minutes of January 28, 2014
- 3) FY 14 In Kind Technical Assistance Project – Scope of Work
- 4) Recreational Camps for Children – Local Regulation: Definition
- 5) DRAFT Medical Marijuana Regulations / Milford Board of Health Medical Marijuana Regulations
- 6) 29 Chipper Hill Road
 - a. Email response from Dave Boyer, DEP, regarding conflicting reports
 - b. MLS listing for 29 Chipper Hill Road
 - c. Cover Page of FAILS Title 5 Inspection report
 - d. Cover Page of PASSES Title 5 Inspection report
 - e. Draft Letter from Malley Engineering to owners
- 7) New Business: The Grill / Rockdale Sports Bar – Facebook Pages
- 8) New Business: Massage Establishments – Email thread dated January 31, 2014
- 9) New Business: BVREPC – Email regarding upcoming meeting on February 13, 2014
- 10) Correspondence
 - a. Email from E. Hall – regarding ban on drug paraphernalia in the Town of Northbridge
 - b. Memo: Spring Annual Town Meeting