



TOWN OF NORTHBRIDGE BOARD OF HEALTH

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The Northbridge Board of Health approved these minutes at a meeting held September 24, 2013.

MEETING MINUTES - August 20, 2013

This meeting was called to order at 7:00 PM by Mr. Paul McKeon, Chairman. Other members present were Mr. Steve Garabedian, Ms. Ann Marie Thompson, 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 **July 9, 2013**. Motion seconded by Mr. Garabedian; the vote was 3-0 in favor, Mr. Chase abstained.

Kyoto Japanese Restaurant – Variance – Preparation of Sushi: Ms. Gniadek informed the Board that this food establishment intends to offer sushi which requires a variance from the state code of regulations governing food service establishments. The owner is working with Sam Wong of MD Consulting to prepare the Hazard Analysis Critical Control Point Plan (HACCP).

The HACCP Plan has not yet been submitted for review so Ms. Gniadek suggested that the Board either table this matter or they could grant the variance subject to review and approval by their food inspector Ms. Terry Gilchrist.

Ms. Gniadek informed the Board that the establishment is hoping to open on September 12, 2013.

Ms. Thompson made motion to grant variance to allow the preparation of sushi at the Kyoto Japanese Restaurant subject to review and approval of the HACCP plan by Ms. Gilchrist. Motion seconded by Mr. Garabedian; the vote was all in favor.

Certificate of Merit Award Policy: The Board reviewed proposed changes to the policy for the issuance of Certificates of Merit to food service establishments. The amendment was to include that any food establishment that is under a Quarterly Inspection Order by the Board of Health would not be eligible to receive a certificate of merit.

Ms. Thompson made motion to approve the amendment to the Certificate of Merit Policy as noted above. Motion seconded by Mr. Chase; the vote was all in favor.

Well Permit Application – 378 Purgatory Road: The Board reviewed an Application for the Construction of a Well by Elias Richardson of Richardson Wells & Pumps at 378 Purgatory Road.

This is an existing single family home that requires a new well. The owner has had some previous soils testing done to replace the septic system. Keeping the soil test pit locations in mind, Richardson Wells was able to site the new well at approximately 72-feet from the proposed new septic system location.

Mr. McKeon noted that Title 5 does allow for wells to be from 50 to 100-feet away from the septic system for existing homes. He also noted that this would be an improvement from current conditions since there is a hand dug well currently serving the home which is very close to the cesspool.

Mr. Richardson stated that he would be going deeper into the bedrock to avoid issues with road salt due to the new well being placed 22-feet from the edge of the road.

Mr. Chase motioned to grant variance to allow construction of a well less than 100-feet but greater than 50-feet from the proposed location of the new septic system on this property and to issue a Permit for Construction of a Well at 378 Purgatory Road. Motion seconded by Mr. Garabedian; the vote was all in favor.

Quaker Street Landfill – Solar Energy Project: Present for this meeting was Peter Losordo, Karen Losordo and the grandparents of Mr. Losordo, representing International Carbon Recovery Corp.

Mr. Losordo stated that they are looking to install a solar energy project at the capped Quaker Street Landfill. He stated that the DEP has requested that they meet with the Town and seek their approvals including the Permit Transfer Agreement.

Mr. McKeon stated that the Board would not enter into any agreement until the DEP provides us with information on this matter. He stated that the Board/Town has an agreement with the DEP to monitor this landfill and that agreement is with them so if they want any changes to that agreement, then we need to hear that from the DEP.

When asked about the project, Mr. Losordo stated that the facility will generate 3 MW of energy and that the solar panels will comprise about 10 acres of the 27 acre parcel.

Tobacco Control Regulations – E-Cigarettes: Ms. Gniadek informed the Board that she had not yet drafted revised Tobacco regulations to include Electronic Cigarettes. She suggested that the Board wait to see if it was feasible to include language covering medical marijuana after she attends an MHOA meeting in Devens on September 19, 2013.

The Board did not want to wait and thought that a simple change in definition of what a tobacco product is was all that was needed to cover e-cigarettes. Ms. Gniadek stated that another issue to consider is whether to allow the use of these products in public since we no longer have environmental tobacco smoke regulations – they were removed from the Board of Health regulations when the Smoke-Free Workplace Law went into effect. Ms. Thompson questioned whether it was necessary as she did not know if e-cigarettes emitted any smoke, vapor, nicotine, or other health concern that would affect another individual.

Ms. Gniadek was directed to review these matters and report back to the Board at the next meeting.

Beaver Permit Application – 1167 Main Street: The Board reviewed the Application for a Beaver Permit for 1167 Main Street. Mr. McKeon stated that he had been out to this property in prior years and that he believes that if the water encroaches on this property, it will spill over the roadway before affecting the house due to the elevations at this location. A review of the file noted that a permit request in 2007 was denied by the Board of Health as they deemed that this was not a public health issue. The Board agreed that no action was required at this time. This matter will be tabled to the next meeting.

1316 Hill Street – Stabling of Sheep on APR Land: Ms. Gniadek informed the Board that she was recently made aware of the stabling of approximately 50 sheep at 1316 Hill Street, which is land covered under an Agricultural Preservation Restriction (APR). The Police Department had been called out to Hill Street due to numerous sheep wandering the roads. It was reported back to this office that the sheep belong to Mustafa Harrati of 24 Bates Street in Mendon, MA.

Mr. Harrati had previously contacted the Board of Health in April of 2012 about what the requirements were for slaughtering sheep if he were to purchase land in Northbridge. Ms. Gniadek stated that Scott Allen of the Massachusetts Department of Public Health contacted Mr. Harrati to review the required regulations but that no further contact had been made since that time.

Ms. Gniadek stated to the Board that the Town of Northbridge is a co-holder of the APR restriction and that it is her understanding that any activity on this land must be approved by the Northbridge Conservation Commission and the Department of Agriculture. She stated that she has left a voice mail message for Michelle Padula at the Department of Agriculture to discuss this matter – Ms. Padula is out of the office until August 26th.

At Mr. McKeon's advice, Ms. Gniadek had also made contact once again with Mr. Allen at MDPH who replied that when a site visit is conducted that this office should note if there are any signs of slaughtering occurring, such as butcher blocks, hides, pelts or skins, bones, hoofs, hoisting device such as a block and tackle, and metal barrels and flies.

The Board requested that the Inspector of Animals conduct a site inspection of the property and report back to the office with her findings.

New Business – 273 Providence Road – Bosma Court Hearing: Ms. Gniadek informed the Board that Health Inspector Matt Armendo inspected this property on August 19th and noted significant improvement. Mr. Armendo feels that the Board should postpone the court hearing so that the case isn't completely dismissed yet but that they stay on top of this with the owner to ensure that he completes the work as ordered by the Board. The owner has been in constant contact with the office and has noted that some of his lawn equipment remains outdoors under tarps which would not constitute a health hazard. The Board agreed to allow the postponement of this contempt hearing.

New Business – St. Camillus Adult Day Health Center: Mr. McKeon informed the Board that this facility did not install the 3-bay sink that had been approved by Ms. Gilchrist. The Board recalled how St. Camillus had appeared before them at a prior meeting to request that they not be required to install a 3-bay sink as had been recommended by Ms. Gilchrist. The Board supported Ms. Gilchrist's decision to require a 3-bay sink. The spec sheet submitted to the office was for a 16 x 18-inch sink; the sink installed is just 10 x 10-inches.

Mr. Garabedian stated that if the sink is not approved by Ms. Gilchrist then it will have to be replaced. Mr. McKeon stated that Ms. Gilchrist did approve the sink. Mr. Garabedian stated that we need to make sure that the largest piece of equipment used at this facility is able to fit into that sink. He requested that a photo be taken with a plate submerged in the sink when Ms. Gilchrist conducts her next inspection. Mr. Garabedian stated that he would also check out the sink when he returns from vacation and that if the sink is not large enough then the Board should require that they install the sink that they initially proposed.

New Business – Animal Inspector Meeting: Ms. Gniadek informed the Board that she attended a meeting held at the Uxbridge Police Station put together by the Uxbridge Board of Health featuring Patricia Cabral from the Department of Agriculture – Bureau of Animal Health to address rabies, specimen submissions, and inspector duties.

Ms. Gniadek informed the Board that the VCA Blackstone Valley Animal Hospital, where we typically have rabies specimens processed (euthanized, decapitated, and mailed) for the State Lab will be substantially increasing their fees.

New Business – Mold Remediation at Northbridge High School: Mr. McKeon stated that he had received a phone call from Superintendent of Schools, Nancy Spitulnik, regarding a mold remediation project at the Northbridge High School. Ms. Gniadek informed the Board that Ms. Spitulnik has been in contact with this office and has offered to give the Board a tour of the classrooms that were affected. The Board requested that Ms. Gniadek tour the school and report back to the Board.

Correspondence: None

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

Attested by,

Jeanne M. Gniadek, Administrator

List of Documents utilized by Board of Health
Meeting Date: August 20, 2013

- 1) DRAFT Minutes of July 9, 2013
- 2) Kyoto Japanese Restaurant – Note for Board regarding Variance
- 3) Certificate of Merit Award – Draft of Amended Award Policy
- 4) 378 Purgatory Road – Well Permit Application and Sketch
- 5) International Carbon Recovery Corp. (ICR) Solar Project @ Quaker Street Landfill
 - a. July 8, 2013 Email from Peter Losordo w/ Permit Transfer Agreement
 - b. Sketch of Layout of Solar panels on Quaker Street landfill parcel
 - c. July 22, 2013 Email from “BT” (Peter Losordo’s grandfather)
 - d. July 15, 2013 Letter to Board of Health from ICR
- 6) E-Cigarette Regulations – Note for Board regarding recent medical marijuana legislation
- 7) Beaver Permit Application – 1167 Main Street
 - a. Application
 - b. July 11, 2013 Email to Board members to conduct site inspection
 - c. Notice of what constitutes a threat to human health and safety
 - d. Flowchart – procedure for alleviating beaver conflicts
- 8) 1316 Hill Street – Email dated August 19, 2013 response from Scott Allen at MDPH
- 9) Correspondence - None