



## TOWN OF NORTHBRIDGE BOARD OF HEALTH

Aldrich School Town Hall Annex - 14 Hill Street  
Whitinsville, MA 01588  
Phone# (508) 234-3272 Fax# (508) 234-0821

*The Northbridge Board of Health approved these minutes at a meeting held October 8, 2013.*

### MEETING MINUTES - September 24, 2013

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

**Minutes:** Motion made by Mr. Garabedian to accept the minutes of **August 20, 2013**. Motion seconded by Mr. McKeon; the vote was 2-0 in favor, Mr. Cella abstained.

**Application for Stabling of Farm of Animals – 1316 Hill Street:** Ms. Gniadek informed the Board that she had been notified that sheep were being stabled at this location when the Police Department called the Board of Health office to find the owner of sheep that were wandering on Hill Street. Ms. Gniadek contacted the Chairman and we dispatched the Inspector of Animals to check things out. The report was reviewed by the Board.

A notice was sent to the owner that he would be required to obtain a permit to keep farm animals at this location and that he was to attend this meeting to discuss his application and concerns raised by the Inspector of Animals, including the disposing of needles in trash can that she observed at this location.

The property owner, Mustafa Harrati, failed to appear before the Board. Mr. Cella questioned whether the letter was sent via Certified Mail. Ms. Gniadek stated that it was not.

**Motion made by Mr. Cella to send a Cease & Desist Order to Mr. Harrati via Certified Mail and First Class Mail delivery due to violation of stabling regulations – keeping farm animals at this property without a permit from the Board of Health. Mr. Cella also motioned that letter include language with regard to the improper disposal of needles and syringes that was documented by the Inspector of Animals. Mr. Harrati is to Cease & desist all activities within seven (7) days of receipt of letter. Motion seconded by Mr. Garabedian; the vote was all in favor.**

**Application for Stabling of Farm of Animals – 1423 Hill Street:** Ms. Gniadek informed the Board that this property has changed ownership and since not all of the requirements of the Board's stabling regulations can be met, she placed this matter on the agenda so that the Board, should they desire to continue to allow the stabling of horses at this location, could formally issue a variance.

Mr. McKeon informed the Board that this property has been used to stable horses for more than the past 20 years. After review of the plot plan, the Board requested that the Inspector of Animals conduct a barn inspection and report back to the Board. If all is well, then the Board would grant the necessary variances at their next meeting.

**Tobacco Control – Youth Access Regulations – Proposed Amendments:** The Board reviewed the proposed amendments to the Youth Access regulations which would prohibit the sale of electronic cigarettes to minors and would include these products under the definition of Nicotine delivery product and would require that anyone that sells these products must obtain a permit from the Board. The draft regulations also changed the title of the Tobacco Sales Permit to a Tobacco and Nicotine Delivery Product Sales Permit.

The Board also reviewed an article that indicated, according to the Centers for Disease Control, the number of US students who have tried electronic cigarettes has doubled in just the past year.

**Motion made by Mr. Cella to adopt amendments as proposed to regulations governing youth access to tobacco products and electronic cigarettes. Motion seconded by Mr. McKeon; the vote was all in favor. Regulations shall become effective immediately upon publication on October 4, 2013 in a local newspaper.**

**Prohibition of Smoking in Workplaces and Public Places – DRAFT Regulations:** The Board reviewed draft regulations which would prohibit the smoking of electronic cigarettes in workplaces and public places. Ms. Gniadek informed the Board that without a local regulation, there is no enforcement regarding the smoking of electronic cigarettes, even in public or municipal buildings. She stated that she formed her draft of regulations based on existing regulations in the Town of Milford which were provided to her by Mr. Garabedian.

After reviewing the proposed regulations the Board amended them to include that smoking be prohibited on municipal grounds as well – the regulations address municipal buildings, parks and recreation areas but had not included municipal grounds.

**Motion made by Mr. Cella to adopt these regulations effective immediately upon publication in a local newspaper (October 4, 2013). Motion seconded by Mr. Garabedian; the vote was all in favor.**

**Berkowitz Trucking:** The Board reviewed the Annual Inspection report for the Tom Berkowitz Trucking, Inc. solid waste transfer station. This report was prepared by Norfolk Ram Group. This report indicated that the facility is being operated in accordance with good, standard operation and maintenance procedures.

**Wal-Mart – Septic System Inspection Report:** The quarterly inspection report for the Wal-Mart store was reviewed by the Board. No action was required.

**Northbridge High School Mold Remediation:** Ms. Gniadek informed the Board that she conducted a walk-through of the High School on August 22, 2013 as had been requested by the Board with regard to the mold remediation that was being conducted at this facility. She was accompanied by Superintendent Nancy Spitulnik and Director of Buildings and Grounds, Mr. Paul Halacy.

Ms. Gniadek stated that a professional mold remediation company was used and that the facility had been thoroughly cleaned. She noted that she did not detect any mold or mildew odors upon arrival or at any time during her walk-through. She was informed that air quality tests were being done and she requested that the Board receive a copy of that report when completed.

The Board reviewed the Air Quality Report prepared by Envirotest Lab, Inc. of Dedham. This report states in part that closure tests indicate that mold has been completely remediated and that all areas tested are suitable for school use.

**Burial Agent – Designation of Town Clerk:** The Board was informed that due to a new electronic formatting of death certificates which are already handled by the Town Clerk, that the Board of Health has to officially designate the Town Clerk as the Burial Agent.

**Motion made by Mr. Garabedian to designate the Town Clerk as the Burial Agent for the Northbridge Board of Health for the issuance of Burial Permits. Motion seconded by Mr. Cella; the vote was all in favor.**

**Medical Marijuana - Update:** Ms. Gniadek informed the Board that she has been meeting with the Town Planner, Zoning Officer, Town Manager, and Chief of Police to discuss strategies for the regulation of medical marijuana should a Dispensary choose to locate within the Town.

Ms. Gniadek provided the Board with draft regulations prepared by the MMA for their review and to determine what types of regulations and enforcement options they would consider should they choose to adopt local regulations governing medical marijuana.

The Board was interested in pursuing local enforcement options and requested that Ms. Gniadek provide them with a hard copy of the MMA regulations for their review and consideration.

**New Business – St. Camillus Skilled Nursing Facility:** Ms. Gniadek informed the Board that the St. Camillus Nursing Center located on Hill Street is in the process of submitting a Plan Review Application for a renovation of their facility. This matter will be placed on the Board of Health agenda for their next meeting.

**Correspondence:** The Board reviewed the following correspondence:

1. Letter from the Law Office of W. Robert Knapik with regard to the New China Pacific Restaurant – Variance Request: Installation of 1500-gallon external grease trap. **This matter will be placed on the next Board of Health meeting agenda.**

*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: September 24, 2013**

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- 1) DRAFT Minutes of August 20, 2013
- 2) 1316 Hill Street – Keeping of Farm Animals Application
  - a. Letter dated September 5, 2013 to Mustafa Harrati & Hind Douiki
  - b. Report of Animal Inspector, Rochelle Thomson, Memo dated August 25, 2013
  - c. Photos taken by Animal Inspector
- 3) 1423 Hill Street – Keeping of Farm Animals Application
  - a. Notes regarding Variance Requirements
  - b. Letter dated September 10, 2013 from Wm. Goding
  - c. BOH Letter dated June 12, 2013
  - d. Application for Permit to Keep Farm Animals – March 11, 2013
- 4) Youth Access Tobacco Regulations
  - a. Proposed Amendments to Regulations
  - b. News Article regarding use of electronic cigarettes
- 5) Prohibition of Smoking in Workplaces and Public Places – DRAFT of Proposed Regulations
- 6) Tom Berkowitz Trucking – Annual Inspection Report prepared by Norfolk Ram Group dated August 22, 2013.
- 7) Quarterly Septic Inspection Report for Wal-Mart – prepared by APEX – dated August 23, 2013
- 8) Northbridge High School Mold Remediation
  - a. Email dated August 22, 2013 from Jeanne Gniadek to Board of Health Members
  - b. Air Quality Testing Report – prepared by Envirotest Lab Inc. – dated August 21, 2013
- 9) Board of Health designation of Burial Agent
  - a. DPH Email dated September 13, 2013 RE: Changes to issuance of Burial Permits
  - b. DRAFT Memorandum designated Town Clerk as Burial Agent
- 10) Medical Marijuana – Sample regulations restricting the sale of marijuana
- 11) Correspondence – Letter from W. Robert Knapik RE: China Pacific Restaurant