



TOWN OF NORTHBRIDGE BOARD OF HEALTH

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The Northbridge Board of Health approved these minutes at a meeting held October 11, 2016.

MEETING MINUTES - September 13, 2016

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

Minutes: Motion made by Ms. Criasia to accept the minutes of **August 16, 2016**. Motion seconded by Mr. Cella; the vote was 3-0 in favor. Mr. Chase abstained.

Food Service Establishment – New China Pacific - Variance: 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 has provided the required Hazard Analysis Critical Control Point Plan (HACCP) which has been reviewed by Health Inspector Terry Gilchrist. Present for this meeting was Mr. Jackie Lee, owner, and Mr. Mark Taylor.

Mr. Taylor informed the Board that the sushi bar will only be open certain hours based on the availability of the sushi chef. Mr. Cella voiced his concern that if the sushi chef is not there, would there be sushi served at the restaurant. Mr. Taylor stated that sushi will only be offered when the sushi chef was there noting that the sushi bar is not part of the kitchen area, they are renovating a portion of the dining room to accommodate the sushi bar.

Mr. Cella made motion to grant variance to allow the preparation of sushi at the New China Pacific Restaurant based on Ms. Gilchrist's report, receipt of an Allergen Awareness certification for the sushi chef, and the proposed hours of operation for the sushi bar. Motion seconded by Mr. Chase; the vote was all in favor.

Housing Code Minimum Sanitation Standards – 1084 Providence Road - Update: Ms. Gniadek informed the Board that on August 23, 2016, Michael Lemieux, owner of 1084 Providence Road, contacted the office to let the Board know that he will be installing an in-line 220 volt on-demand hot water heater and has worked hard on cleaning up the yard. Ms. Gniadek stated that she spoke again with Mr. Lemieux this morning and that he will be purchasing the heater by the end of the month and would be glad to appear before the Board at their next meeting with an update.

The Board agreed that was not necessary however they wanted to make sure that Mr. Lemieux was all set with heat and hot water before the winter season sets in.

Housing Code Minimum Sanitation Standards – 92 Fletcher Street: Present for this meeting was Kevin Stirk and David Stirk, owners of this property. The Stirks informed the Board that they purchased this building 15 years ago and despite numerous attempts to get into the unit to make repairs, the occupant has refused to allow them in.

Mr. Stirk stated that each year he goes in to check the smoke detectors and they are allowed in when/if there is a heat emergency but other than that the tenant has refused to let them in.

Mr. McKeon stated that he had been called in to this property by the Northbridge Fire Department due to a recent smoking electrical outlet. He stated that they (the owners) should be ashamed of the condition this unit is in.

The Stirks informed the Board that due to the Board of Health inspection report, the tenant is now allowing access. They are going in about 3 days a week to make repairs. They stated that they expect the repairs to be completed in about one month. They are going over the existing horsehair plaster which is in disrepair with new sheetrock.

Mr. McKeon stated that he wants assurance that the apartment will not return to this condition. He suggested that inspections be conducted every three months. The Stirks agreed noting that they intend to document the repairs and inform the tenant that they can and will be held responsible for any damage they cause in the future.

Mr. Cella questioned whether the tenant caused the violations noted in the report. Mr. Stirk stated that the tenant has caused many violations.

Mr. Armendo stated that he inspected the dwelling unit before the meeting this evening to note the repairs that had been made and to let the tenant know that he would be out to check on progress every two weeks.

Mr. Cella made motion to require that the dwelling unit be brought up to code by the end of October and to have Mr. Armendo, Health Inspector, conduct inspections every two weeks to ensure that progress is being made. Motion seconded by Ms. Criasia; the vote was all in favor.

Title 5 – Wal Mart – Request for Extension: The Board reviewed a second letter from WalMart engineers requesting an extension on the Board's order to repair the sewage disposal system at 100 Valley Parkway. Under Title 5, a Notice of Noncompliance was issued granting two (2) years to repair their failed system – the two year deadline was July 16, 2016. An extension until December 31, 2016 was granted in May of 2016 by the Board. They are now seeking an extension to November 1, 2017. Mr. James Malley, the Board of Health engineer, recommends the granting of the extension provided that pumping records continue to be submitted to the Board of Health office noting that Title 5 regulations allow Boards of Health to grant an extension for up to five (5) years.

Motion made by Ms. Criasia to grant requested extension to November 1, 2017. Motion seconded by Mr. Cella noting condition that the Board of Health continues to receive pumping documentation; the vote on the amended motion was all in favor.

Title 5 – 151 Purgatory Road – Deed Restriction: Ms. Gniadek informed the Board that the owners of this property are seeking a deed restriction to allow them to finish off the room above their garage into a family room. It is currently a 3BR home with 8 rooms total. The addition of this one room makes it a 9 room home and under Title 5 regulations would require a 4 BR system.

Motion made by Mr. Cella to grant Bedroom Count Deed Restriction for 151 Purgatory Road to restrict property to three (3) bedrooms. Motion seconded by Ms. Criasia; the vote was all in favor.

Whitin Community Center – MDPH Camp Inspection Report: Ms. Gniadek informed the Board that the Massachusetts Department of Public Health (MDPH) conducted a camp inspection at the Whitin Community Center on August 10, 2016. She accompanied the staff from MDPH on their inspection. The Board reviewed the report and their findings and recommendations.

Ms. Criasia questioned the background check violation. Ms. Gniadek informed her that that violation was in regards to having three references on file for each staffer as well as their prior work history. Ms. Gniadek stated that all CORI and SORI checks for staff were completed and were on file.

The pool violations were addressed by Mr. Armendo. He informed the Board that he spent 1.5 hours at the Community Center this evening to review the violations and to come up with an action plan. He stated that the loose ladder was repaired and that the pipes in the filter room for the competition pool have now been labeled – this has not yet been done for the original pool filter room. He informed the Board that PPE (personal protective equipment) was still needed as well as secondary containment pallets for the chemicals. The Community Center expressed concern to Mr. Armendo regarding the cost of the secondary containment units.

Mr. Armendo also noted that the only area where the 4-foot walkway/decking around the original pool is not met is where the stairs go down into the locker rooms.

The depth marking requirements for the competition pool was also discussed. Ms. Gniadek informed the Board and Mr. Armendo that based on her discussion with MDPH staff during the inspection they suggested that the depth markings be placed on the wall so that a swimmer can easily look at the wall to determine the depth of the water where they are swimming. MDPH staff noted at the time of the inspection that it would be difficult to put the depth markings on the walls of the pool itself.

Mr. Armendo questioned a violation noting a self-closing door. There was some discussion regarding which door and whether it was approved by the Fire Department as an emergency exit and whether a bar alarm was needed on the door. Ms. Gniadek will reach out to the Fire Department to discuss this matter. It was unclear as to whether the door that MDPH was concerned with (the one from the competition pool into the atrium) was the same one that Mr. Armendo was addressing.

Mr. Cella requested that this matter be revisited in December.

Old & New Business: Ms. Gniadek informed the Board that the Northbridge Police Chief has submitted numerous police log entries of animal complaints noting chickens and sheep in the road from the barn located at **1316 Hill Street** causing a health and safety hazard.

Mr. McKeon instructed Ms. Gniadek to request an inspection of this property by the Barn Inspector and to also have the barn owner appear before the Board at their next meeting.

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

Correspondence: The following correspondence was distributed to the Board:

- *DEP Notice of Enforcement Conference – Riverdale Mills*
- *DEP Notice – West End Creamery – Approved Rate and Zone I Change*

Reorganization of Board of Health: Motion made by Mr. McKeon to nominate Ms. Criasia for Vice-Chairman of the Board. Motion seconded by Mr. Cella; the vote was all in favor.

Ms. Criasia made motion to nominate Mr. McKeon for Chairman of the Board. Motion seconded by Mr. Cella; the vote was all in favor.

Mr. McKeon made motion to nominate Mr. Chase for Clerk of the Board. Motion seconded by Mr. Cella; the vote was all in favor.

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

Attested by,

Jeanne M. Gniadek, Administrator

List of Documents utilized by Board of Health
Meeting Date: September 13, 2016

- A. Annual Reorganization of Board
 - 1) Committee Organization Form

- B. Meeting Minutes
 - 2) August 16, 2016 DRAFT Meeting Minutes

- C. Food Service Establishments
 - 3) New China Pacific Restaurant
 - a. Plan Review Notes – August 30, 2016
 - b. HACCP Plan

- D. Housing Code Minimum Standards
 - 4) 1084 Providence Road
 - a. Email (8-23-16) “1084 Providence Road Update”

 - 5) 92 Fletcher Street
 - a. BOH Hearing Notice – August 30, 2016
 - b. Housing Inspection Report – August 25, 2016
 - c. Photos taken 8-25-16
 - d. Condemning a Building: A Policy and Procedural Guide

- E. Title 5
 - 6) WalMart – 100 Valley Parkway
 - a. Bergmann Associates – August 15, 2016 – Sanitary Sewer Line Letter
 - b. Memo from Malley Engineering

 - 7) 151 Purgatory Road
 - a. DRAFT proposed Deed restriction

- F. Old & New Business
 - 8) Camp Whitin: MDPH Inspection Report

- G. Citizens’ Forum – none

- H. Correspondence
 - 9) DEP Notice of Enforcement Conference – Riverdale Mills Corporation
 - 10) DEP Notice – West End Creamery – Approved Rate and Zone 1 Change