



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 January 22, 2013.

MEETING MINUTES - December 11, 2012

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

Minutes: *Motion made by Ms. Thompson to accept the minutes of November 13, 2012. Motion seconded by Mr. Chase; the vote was 4-0 in favor; Mr. Cella abstained.*

PUBLIC HEARING: Board of Health Code of Bylaws – Ban on Sale of Drug Paraphernalia:

Chairman McKeon read the Public Hearing Notice.

NOTICE OF PUBLIC HEARING

In accordance with MGL CH. 111, s 31, the Northbridge Board of Health will hold a public hearing on December 11, 2012 at 7:00 PM in the Aldrich School Town Hall Annex, 14 Hill Street, Whitinsville, MA to consider adoption of regulations banning the sale of drug paraphernalia, synthetic cannabinoids, and synthetic stimulants in the Town of Northbridge.

All parties interested in this matter are invited to attend. Copies of the proposed regulations are available in the Board of Health office.

*Paul R. McKeon, Chairman
Northbridge Board of Health*

Advertised: November 23, 2012 & November 30, 2012

Posted Town Hall: 14 days (Posted November 14, 2012)

Motion made by Ms. Thompson to open Public Hearing. Motion seconded by Mr. Garabedian; the vote was all in favor.

Present for this Public Hearing was Police Chief Walter Warchol, Detective Sgt. John Ouillette, and Deb Gauthier, reporter.

Chief Warchol stated that he had reviewed the Fall River regulations which have been approved by Fall River Counsel and supported by the Massachusetts Police Association. The legal definitions noted in the Fall River article were incorporated into the Northbridge draft of regulations.

Chief Warchol provided the Board with a recent Police log entry of a caller expressing concern that his boyfriend may harm himself and that he was headed to Vera's to purchase bath salts. Chief Warchol stated that he has had several callers expressing concern over the purchase of bath salts from a Northbridge establishment.

The Board discussed enforcement and whether that section should allow for both the Police Department and the Board of Health to enforce the regulation by inserting "and/or" into the sentence. The Board also discussed incorporating wording that would allow for revocation of licenses.

Chief Warchol noted that the Fall River ordinance allows for seizure of product if seen on display and suggested that the Board incorporate that wording into this bylaw.

Motion made by Mr. Chase to close the Public Hearing. Motion seconded by Mr. Garabedian; the vote was all in favor.

Motion made by Ms. Thompson to add the following:

“All substances, found in plain view, being used in violation of this regulation may be seized and held until final adjudication whereupon they will be destroyed by the Northbridge Police Department.”

Motion seconded by Mr. Chase; the vote was all in favor.

Motion made by Mr. Cella to amend Section H. as follows:

H. **Violations and Penalties.** *This Regulation shall be enforced by the Northbridge Board of Health and/or the Northbridge Police Department through any lawful means in law or in equity including, but not limited to, enforcement by criminal indictment or complaint pursuant to M.G.L. c. 40, § 21, by noncriminal disposition pursuant to M.G.L c. 40, § 21D, and/or through revocation of any or all licenses and permits issued by the Town of Northbridge. The fine for violation of this regulation shall be three hundred dollars (\$300) for each offense. A separate offense shall be deemed committed for each sale, offer to sell, gift, or public display for sale.*

Motion seconded by Mr. McKeon; the vote was all in favor.

Motion to adopt the regulations banning the sale of drug paraphernalia, synthetic cannabinoids and synthetic stimulants as amended above effective January 1, 2013 was made by Mr. Cella. Motion seconded by Mr. Chase; the vote was all in favor.

Minimum Standards for the Keeping of Farm Animals – 1200 Mendon Road: Present for this meeting was Mr. Kevin Hollenbeck, property owner. Mr. Hollenbeck informed the Board that he now only has 8 sheep, 10 horses, and about 100 fowl (ducks & chickens) on his property. He stated that one of his horses was put down as the Dept. of Agriculture felt that the animal could be in pain from a previous injury. Mr. Hollenbeck’s opinion was different but agreed to have the animal put down just in case it was suffering. He stated many of the lambs were sold as were many of the chickens.

The Board reviewed some photos taken of the property in October by Animal Inspector Kate Hawkins. Mr. Garabedian stated his concern that the property was in violation of 105 CMR 410.602 – where a property owner is responsible for maintaining their property in a clean and sanitary condition. Mr. Hollenbeck agreed that there was an issue and he is putting extra trash out every week. Mr. Cella questioned whether he had a time frame in mind for the necessary improvements. Mr. Hollenbeck stated that he did not – stating that the property did not get this way overnight and that it will take him some time to get things cleaned up. He asked for specific guidance as he stated that he was told to move things closer to the house to make it easier to care for the animals but the animal inspector told him not to, that the animals should not be close to the house. That is why he would like to have specific feedback and recommendations.

The Board agreed to conduct a site inspection on Saturday, December 15th, to view the property and to make recommendations for improvement.

Ms. Gniadek stated that this issue needs to be resolved as Mr. Hollenbeck needs to be able to obtain a stabling permit from the Board of Health.

Wal-Mart Organics Recycling Program: Ms. Gniadek informed the Board that EPS of VT has applied for their trash hauler permit.

273 Providence Road - Update: Ms. Gniadek informed the Board that the owner of the day care center adjacent to this property contacted the Board of Health office regarding an anonymous phone call she received that a tenant in this building was throwing used needles and syringes into her play area. Her staff found one needle on the sidewalk and contacted the Northbridge Police Department.

After receipt of this complaint, Ms. Gniadek contacted the Housing Court with regard to the current Preliminary Injunction issued by Housing Court fining the defendant \$100 per day until he cleans up his property. The court informed Ms. Gniadek that a second contempt summons could be filed. That motion has been filed and a court hearing has been set for January 3, 2013.

Seasonal Flu – 2013 Clinic: Ms. Gniadek informed the Board that she had received a “vaccine” training from Ms. Elizabeth Alvarez of the Department of Public Health. Ms. Alvarez reviewed proper storage and handling of vaccine shipments as well as the Vaccines For Children Program(VCF).

According to Ms. Alvarez, the flu clinics we have been holding in conjunction with the schools need to follow VFC guidelines – meaning that the flu vaccine should only be dispensed to children a) enrolled in Medicaid (includes MassHealth), b) does not have health insurance, or c) is American Indian or Alaska Native.

This information has been provided to School Nurse Leader Lori Johnson for her consideration as this significantly changes the way we run our school-based flu clinics.

School Based Health Center: The Board reviewed an email for Dr. Karen Peterson Kittredge regarding an initiative to offer a school-based health center. This would be a collaborative effort between the towns of Northbridge and Uxbridge. Their next meeting is set for January 31, 2013 at 6:30 PM at the Uxbridge High School.

Correspondence: The following correspondence was distributed to the Board:

- *Complaint – Berkowitz Trucking*

There being no further business, motion to adjourn at 8:20 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: December 11, 2012

- 1) DRAFT Minutes of November 13, 2012 Meeting
- 2) Code of Bylaws – Ban on Sale of Drug Paraphernalia
 - a) Public Hearing Notice
 - b) DRAFT – Regulations banning the sale of drug paraphernalia and synthetic cannabinoids
 - c) Drug Fact Sheet – Bath Salts or Designer Cathinones
 - d) Drug Fact Sheet – K2 or Spice
 - e) Northbridge police log – 12/7/12
- 3) 1200 Mendon Road – Keeping of Farm Animals – Certified Letter dated November 16, 2012
- 4) Wal-Mart Organics Recycling – Letter EPS of Vermont
- 5) 273 Providence Road – Police Report dated 11/30/12 & Court Documents
- 6) 2013 Flu Clinic – Patient Eligibility Screening Form
- 7) School Based Health Center – Email dated December 9, 2012 from Karen Kittredge
- 8) Correspondence
 - a) Letter dated November 13, 2012 from Lori Lofstrom – Complaint – Berkowitz Trucking