

TEWKSBURY Board of Health
Minutes
November 21, 2013

Call of Meeting To Order

MOTION - Ms. Kinnon made a motion to call the meeting to order at 7:07 PM. The motion was seconded by Ms. Brothers and unanimously voted 5-0.

The meeting was held at the Tewksbury Senior Center. Present at the meeting were, Chairman Phillip French, Vice Chairman Charles Roux, Christine Kinnon, Kathleen Brothers, Ray Barry and Health Director Lou-Ann Clement.

New Business

Cancer Incidence in Massachusetts 2005 - 2009

Ms. Clement provided copies of the cancer incidence report from 2005 to 2009. This report is given every year. This report was reviewed by the Town Nurse, Sarah Kinghorn, and she has submitted a summary. The report has estimated cancer cases in Tewksbury and a count for the new cancer diagnosis. Ms. Kinghorn has presented three charts. The first chart breaks down the cancers by male and female. In males, there have been increases in prostate, bladder and leukemia but decreases in colon and rectum cancers. In females, there have been increases in uterine, thyroid and stomach but decreases in breast cancer. The second chart shows observed cases of cancers. In males the highest observed cases are prostate, lung, bronchiolar, colon and rectum. In females, breast, lung, bronchiolar and uterine are the highest observed types of cancer. The third chart shows a comparison of cancers in Tewksbury vs. the State cases. Tewksbury has higher rates of cancers for breast and prostate compared to the State average. We should do more education for cancers. Ms. Clement stated that she will put the full report on the website.

Ms. Kinnon stated that she is confused by the comparison chart. Ms. Clement stated that she will get clarification on this chart from Ms. Kinghorn. Ms. Brothers stated that these numbers are deceiving because if a Tewksbury resident is diagnosed at the Winchester Hospital then it does not count towards Tewksbury; it would be accounted for in Winchester. Ms. Clement replied that was correct.

Mr. Barry asked if we could get abutting Town's information. Ms. Clement replied that the report used to include all towns, but the State changed it to include only the specific Town's information. Ms. Clement stated that she could call the surrounding communities and get their information. Mr. Barry stated that the report is very confusing.

Ms. Brothers asked if there is a breakdown of where in Tewksbury the cancer cases are. Ms. Clement replied no, this cannot be done due to HIPA laws.

Mr. Barry asked what we do with this information. Ms. Clement stated that if there was more departmental staff, we could do more educational programs. Ms. Clement stated that she could ask Ms. Kinghorn to have her intern work on cancer education.

Mr. French stated that there are definitely areas in town that have higher concentration of cancers. Ms. Clement agreed. Ms. Clement stated that our numbers could be lower because we don't have a hospital in Tewksbury so the towns and cities of Winchester, Burlington, and Lowell always have higher numbers because they have hospitals.

Mr. Barry asked if we can have the State plot the cancer cases in the Town. Ms. Clement replied that she doesn't believe they will do that because of the HIPA laws and also they are shorted staffed as well as her office. Ms.

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Clement stated that she believes a health assessment was done with the Sutton Brook project that showed the location of certain illnesses.

Ms. Kinnon stated that density in the Town also affects the numbers.

Mr. French stated that Boston must have huge numbers due to the number of hospitals. Ms. Clement agreed. The reporting numbers come from wherever the diagnosis is, whether it is a hospital, doctor's office or lab.

Ms. Clement stated that she will make some phone calls to get more information. Ms. Clement added that Mr. Barry has agreed to help her write some information articles and they will concentrate on the top three cancers.

Board Member Reports

Tewksbury CARES

Ms. Kinnon stated that at the next meeting, they will be showing the video "Overtaken" that was shown during Drug Awareness Week. This is also on You Tube. Ms. Kinnon stated that last week there was a meeting with the Wilmington Veterans Agent at our Library to discuss the addiction problems that veterans are dealing with after coming back from deployment. Ms. Kinnon stated that we should ask the Tewksbury Veterans agent to get more information. Mr. Barry stated that the information should be published. Ms. Clement stated that the library event was sponsored by the Library and Police Department.

Other Business

2014 Meeting Schedule

Ms. Clement presented the 2014 Board of Health Meeting Schedule. The typical schedule is the 1st and 3rd Thursday. Ms. Clement stated that she did not schedule a meeting for January 2, 2014. The locations are TBD due to the Town Hall renovations. Ms. Kinnon stated that the new High School now has the ability to broadcast on the local cable channel. Ms. Brothers stated that Mr. French brought up last year about going to one meeting a month and perhaps we should revisit it. Mr. French stated that he still thinks there should only be one meeting a month because we can always schedule another meeting if required.

Ms. Clement stated that if we go with the third Thursday, the proposed meeting dates would be January 16th, February 20th, March 20th, April 17th, May 15th, June 19th, July 17th, August 21st, September 18th, October 16th, November 20th and December 18th. Ms. Clement will verify these dates against the holiday schedule. Mr. Barry stated that the February meeting may conflict against school vacation. Ms. Brothers stated that if there is a large agenda then she would want a second meeting scheduled. Ms. Clement replied yes, and then it would be the call of the chairman to schedule a second meeting. The agenda items could be continued from the first meeting to the second meeting. Ms. Clement stated that the second issue is does the Board want the meetings televised live. Mr. Barry stated that if there is a public hearing it should be live but if not then it could be taped and broadcasted later.

Ms. Clement stated that based on the discussion tonight, the hearing schedule will be one meeting a month scheduled for the third Thursday of each month. The Board prefers a live broadcast and if not available then taped and she will also find out when the Lowell Sun gets the information from the Town Clerk so she can post the Board's agenda in time for them to be in the paper.

MOTION - Ms. Brothers made a motion to approve the Board of Health 2014 Meeting Schedule as revised. The motion was seconded by Mr. Barry and unanimously voted 5-0.

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BMC Fire

Ms. Clement stated that BMC has been burning all day. A press release has been created and a Code RED was issued. The fire started at 1:00 AM today and there is no water available to put out the fire. The fire pond on site has dried out due to lack of rain. The pile on fire is about 200' x 50'. There will be someone onsite watching over the fire overnight. The plan is to extinguish the fire with sand and clean fill. The pile is not toxic according to the owner and is mostly leaves and grass clippings. The pile will be broken down after the fire is out. Ms. Clement stated that there will be a meeting in Wilmington with the Health and Fire Departments from Tewksbury and Wilmington as well as DAR to discuss this issue. BMC is classified as agricultural composting. BMC is entirely in Wilmington but the only entrance is in Tewksbury.

Lowell Health Department Public Hearing for E-Cigarettes

Ms. Clement stated that the Lowell Health Department is holding a hearing on E-Cigarettes on December 12th at 6:00 PM. Mr. Beauregard will be attending the hearing.

Holiday Events

Ms. Clement stated that there is to be a festival of trees on December 6th and the tree lighting at the library on December 7th. There will also be a petting zoo, sleigh rides and a pie social at the Congregational Church.

Old Business

Proposed Chapter 9 of the Tewksbury Board of Health Regulations “Grease Trap Requirements for Food Establishments”

Ms. Clement presented a new version of the grease trap regulations that include the updates from Weston and Sampson. The following are the proposed changes:

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- There were grammatical changes.
- Added dumpster definition for grease receptacle.
- Weston and Sampson suggested taking the definitions from the State Plumbing Code for a grease interceptor (+50 gallons/minimum exterior) and grease trap (50 gallons/minimum or less interior). Mr. Barry asked if “grease” should be added in the definition for grease interceptor.
- In the definition for grease interceptor add “i.e., external grease tank”. Delete “water tight structure” in the definition.

Mr. Roux stated that we shouldn't get into the flow rate of the structures because it would be too confusing. A grease tank is external and holds 1,500 gallons. A grease trap is internal usually under the sink or dishwasher.

Ms. Clement stated that she will reword the external grease tank interceptor and internal grease trap. We are dealing with restaurant owners not plumbers. Mr. Barry stated that there should be an FYI sheet with drawings of the different installs so restaurant owners understand.

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- The reference to a specific CMR will be removed and it will reference the State Plumbing Code.

Page 5

- The reference to a specific CMR will be removed and it will reference the State Plumbing Code.
- On the Weston and Sampson memo, 2nd bullet, “(F)” leave reference to Title 5 only, “(G)” cross out 240A and leave State Plumbing Code.
- Section 9.5.2, strike “conforming to”, add “Each unit internal and external shall comply with the current appropriate State and Local rules and regulations including but not limited to building, plumbing and Title 5.
- Grease Trap and Tank Maintenance – 1st paragraph, 2nd line add “comply with the current State Plumbing Code or Title 5 which ever is applicable.” The “must” will be changed to “shall”.

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- Section 9.5.3.6 – delete “248”
- Section 9.5.3.16 – delete “248 CMR 10” and “310 CMR 15”.

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- Section 9.7.6 – This is a new section on disposal of grease.
- Section 9.7.9 – This is a new section for the tools required for onsite cleaning and inspections for the grease trap and grease tank.
- Section 9.7.10 and 9.7.11 – These are two new sections that deal with the owner or agent shall witness the maintenance activities as well as a shared tank agreement with the business owner and establishments.

Mr. Roux stated that this agreement should be kept with the maintenance log.

Mr. Barry stated that the definition for “Fats, Oils and Grease (FOG)” should be added since it is used.

Mr. Barry asked if this office should receive a copy of the agreement. Ms. Clement replied that it should be part of the log. If the building owner is responsible for the external grease tank cleaning then there should be a record in the establishments’ log. We don’t care who pays for it as long as it is being done. The internal grease trap can be cleaned by the restaurant and the cleaning should be logged.

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- Section 9.8.2 – Change “handler” to “hauler”. This section should be reworded in the correct order, collected, storage and disposal.
- (C) – This is a new subsection dealing with the ventilation and exhaust hoods. This was added in the October 31st draft. Any grease taken out of these systems cannot go down the drain.

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Mr. French stated that an outside company comes in and replaces all the filters and takes the old ones. When the hood is cleaned, they have a vacuum with plastic and all the grease goes into the containers and they are taken away. Ms. Clement stated that not all restaurants have outside contractors so they have to know the grease cannot go down the sink. Mr. French stated that if we keep adding to these regulations we'll need to tell people what they have to do with a spoon that has mayo on it. We cannot cover everything and it's getting ridiculous. There is more grease coming from residents than restaurants. Mr. French stated that these regulations are to make sure that as much grease as possible is captured in the internal and external grease traps. Mr. Barry stated that the filters could be washed in the three-bay sink with the grease trap connected to it. Ms. Clement replied yes. Ms. Clement stated that she will make these changes and the Board needs to decide if the bylaw should go back to Town Counsel.

Ms. Clement stated that she is going to leave the time frame for mandatory grease tanks at five years except for the following conditions: 1) if there is a problem they must immediately tie-in, 2) transfer of ownership or 3) significant renovations.

Ms. Kinnon stated that reminders should go out with all permit renewals.

Ms. Clement stated that Weston and Sampson as well as the DPW are trying to setup education information for residents as well as restaurants.

Announcements

There are no new announcements.

MOTION - Ms. Brothers made a motion to close the meeting and adjourn at 9:12 PM. The motion was seconded by Mr. Barry and unanimously voted 5-0.

Date Approved: February 20, 2014

Documents are located in the Board of Health's office

Exhibit # 1 Chapter 9 Grease Trap Requirements for Food Establishments draft dated 11/17/13
Exhibit # 2 Email dated 11/7/13 from Frank Occhipinti, Weston & Sampson
Exhibit #3 PHN summary report from the MA Cancer Incidence in Tewksbury 2005-2009 Report
Exhibit #4 Chapter 9 Grease Trap Requirements for Food Establishments draft dated 11/21/13
Exhibit #5 2014 Proposed BOH meeting Schedule