

TEWKSBURY Board of Health
Minutes
December 19, 2013

Call of Meeting To Order

MOTION - Ms. Brothers made a motion to call the meeting to order at 7:10 PM. The motion was seconded by Ms. Kinnon and unanimously voted 4-0.

The meeting was held at the Tewksbury Senior Center. Present at the meeting were, Chairman Phillip French, Christine Kinnon, Kathleen Brothers, Raymond Barry and Health Director Lou-Ann Clement. Vice Chairman Charles Roux was not in attendance.

New Business

FY2015 Proposed Budget

Ms. Clement presented the proposed FY2015 budget. The budget is level funded except for the 2% staff increase. There is no increase for the Board members. This budget will be submitted tomorrow to the Town Manager. Town Manger is also looking for three priorities. She has two priorities including increasing the nurses hours from 17 hours to 40 hours and start up costs for a revolving fund for health programs. The nurse would like to start preventive screening for bladder cancer in firefighters as well as cholesterol screening for Tewksbury residents. The anticipated startup costs are \$1,500.00.

Ms. Brothers stated that a few years ago Mr. French asked to raise the salary of the Board by 10% to bring the salary back to prior 2009. Ms. Kinnon agreed. Ms. Kinnon stated that our salary should be comparable to other elected boards. Mr. French agreed with the 10% increase. This Board took a pay cut in hopes other Boards would follow due to the Town's fiscal problems in 2009 but none did.

Ms. Brothers spoke about restoring the Board of Health's salaries to include the 10% reduction from years ago. The Board feels that no other board including the Board of Selectman meet the Board of Health's reduction challenge and they are now being penalized. The salaries should be restored to what they Board received in prior to 2009 budget issues.

MOTION - Ms. Brothers made a motion to request the Town Manager to increase the Board of Health's salary by 10% to return to the same salary prior to 2009. The motion was seconded by Mr. Barry and unanimously voted 4-0.

MOTION - Ms. Kinnon made a motion to approve the first two priorities presented. The motion was seconded by Mr. Barry and unanimously voted 4-0.

Mr. French wanted to know if Ms. Clement could research what the other boards are getting and whether or not they received any reductions or increases since 2009.

Mr. Barry stated that the Annual Report will list all salaries of other Boards.

Ms. Clement stated that the Town Manager and Finance Committee approve all budgets prior to Town Meeting.

Annual Conflict of Interest

Ms. Clement stated that this year, everyone received the conflict of interest law but all that is required is the signature sheet confirming receipt of information. The online test is required every other year. Ms. Kinnon, Ms. Brothers, and Mr. Barry stated they responded by email to the Town Clerk already.

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FDA's – Tobacco Retailer Compliance Inspections Results

Ms. Clement stated that the FDA did a compliance check in November. There were four establishments in Tewksbury that sold to minors during the FDA compliance check. All four got warning letters that will go in the file. Ms. Clement stated that she spoke to Mr. Beauregard and he is going to setup a training session for all establishments. Mr. Barry stated that this should be mandatory for all establishments especially for the four establishments.

MOTION - Mr. Barry made a motion that the free training will be mandatory for all establishments that holds a tobacco permit in the Town. The motion was seconded by Ms. Kinnon and unanimously voted 4-0.

Ms. Kinnon stated that there should be a penalty for those establishments that do not go especially the four that sold during the compliance check. Ms. Clement stated that she will speak with Mr. Beauregard.

Ms. Brothers asked if any of the four establishments have been cited before. Ms. Clement replied that she was not sure but will check. Ms. Clement added that the managers of the establishments should attend so they can train the clerks.

Ms. Clement recommended a congratulatory letter for establishments that have not sold in the last three years.

Old Business

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

Ms. Clement stated that the new draft includes all changes from the last meeting. The only two issues remaining are the definitions and if the regulations should be sent back to Town Counsel. Ms. Clement stated that she met with Mr. Roux today and he doesn't want to include the flow information because it would be too confusing. The grease tank is an outside subsurface water tight structure. A grease trap is internal and is usually found underneath a 3 bay sink and dishwasher.

Page 2 Definitions of Grease Tank proposed changes were discussed and under Grease Tank tis should state with an A remove the (s) in Tank(s), change are to is. Under Grease Trap remove The to A.

Page 5, 3rd highlighted, Section 9.5.2 “every case where a food establishment is preparing and or selling prepared food at a minimum of”. This clearly defines that these regulations don't apply to a retail store. Ms. Kinnon stated that prepared foods should be exempt. Ms. Clement stated that a convenience store would be exempt because they sell only pre-packaged food but a convenience store that also sells subs would require a grease tank.

Ms. Clement asked if these regulations should be sent back to Town Counsel. Ms. Clement added that she would feel comfortable sending them back for a final review by Town Counsel. Mr. French agreed. Mr. Barry also agreed since he would be the one defending the position of the Board in they were ever challenged.

Approval of Minutes

There are no minutes to approve.

Board Member Reports

There are no reports.

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Other Business

Ms. Clement stated that Town Hall is officially closed. There is a meeting room at the Pike House but parking is very limited and there are already meetings schedule for November 20th and December 18th. Mr. French stated we could meet here at the Senior Center. Ms. Clement stated that if a public hearing is scheduled it will not be televised. Mr. French stated if there is a public hearing we can always change to a televised location.

MOTION - Ms. Kinnon made a motion to hold all 2014 Board of Health meetings at the Senior Center until the Town Hall renovations are completed. The motion was seconded by Mr. Barry and unanimously voted 4-0.

Announcements

There are no new announcements.

MOTION - Ms. Kinnon made a motion to close the meeting and adjourn at 7:57 PM. The motion was seconded by Ms. Brothers and unanimously voted 4-0.

Date Approved: February 20, 2014

Documents are located in the Board of Health's office

- Exhibit #1 FY 2015 Budget Message dated 12/6/13 from the Town Manager
FY 2015 Budget Spread Sheet (2) dated 12/13/13
- Exhibit #2 Memo from the Town Clerk regarding Annual Conflict of Interest
- Exhibit #3 MHOA letter regarding FDA compliance checks warning letters dated 12/11/13
- Exhibit #4 Chapter 9 Grease Trap Requirements for Food Establishments draft dated 12/06/13
- Exhibit #5 Tobacco Mandatory Retailer Training draft letter dated 12/7/13
- Exhibit #6 Definitions for Grease Tank and Grease Trap