

TEWKSBURY Board of Health
Minutes
June 6, 2013

LOU-ANN CLEMENT
BOARD OF REGISTRARS
TEWKSBURY, MA
13 JUL 19 AM 9:38

Call of Meeting to Order

MOTION - Mr. Roux made a motion to call the meeting to order at 7:05 PM. The motion was seconded by Mr. Barry and unanimously voted 4-0.

The meeting was held at the Town Hall Auditorium. Present at the meeting were, Chairman Phillip French, Vice Chairman Charles Roux, Christine Kinnon, Ray Barry and Health Director Lou-Ann Clement. Kathleen Brothers was not present.

Approval of Departmental Reports – 1st Quarter

Ms. Clement stated that it has been a very active 3 months. There have been 53 complaints and 150 inspections. Mr. Barry asked how they are comparable with the same time last year. Ms. Clement stated that she is not sure but will check on that. Mr. Barry asked what the GIS category is. Ms. Clement replied that is a fund that has been established with each permit paying a small fee to get the program up and running.

MOTION - Ms. Kinnon made a motion to approve the first quarter department reports. The motion was seconded by Mr. Roux and unanimously voted 4-0.

Public Health Nurse Vacancy Update

Ms. Clement stated that their staff is down to her and Ms. Joy. The Sanitarian is out on an extended leave and the nurse is retired. They had 5 applicants for the nurse position. They interviewed the applicants and a list of 3 finalists was sent to the Town Manger. Out of the 3 applicants, 2 have some public health experience.

Old Business

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

Ms. Clement stated that we received a comment letter from Town Counsel and some of his concerns have already been addressed. She would like to go through Town Counsel’s comments.

- Is “other facilities” still needed? Mr. Roux stated that includes industrial waste traps and if this is not needed for the grease trap regulations and if it is clearer then it could be eliminated. Ms. Clement stated that the DPW has updated their sewer regulations to include this. Ms. Clement stated that she would delete “other facilities’ throughout the regulations including industrial waste water and industrial user references.
- Need clarification for the 10’ from the building foundation. – Mr. Roux stated that is the plumbing code. The plumbing inspector has jurisdiction from 10’ out from the building foundation. Mr. Barry suggested referencing the plumbing code.
- Why is Building Drain capitalized? Ms. Clement corrected that. Ms. Clement also changed industrial building to industrial plans and similar to match the DPW regulations.
- Does “and” belong in the phrase within the Town’s right of way. This should be deleted.
- Relocated “Disposal Installer” to the correct alphabetical order.
- A new section was created for plumbing construction.

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- Section 9.11.5 – The comment from Town Counsel is this is difficult to prove. Ms. Clement replied she does not agree. Mr. Roux stated that if you go to a facility and they don't let you in or you go to an inspection and there are issues and those issues are not fixed then everything is documented. Ms. Clement stated that if she is refused access or if inspection items are not getting fixed in a reasonable amount of time then they can be considered unreasonable. All inspections are documented so she doesn't know what he means. Mr. Barry asked if there is a time frame given to fix an issue. Ms. Clement stated that for her housing regulations she generates a report with due dates. Ms. Clement stated that in her housing regulations they allow 30 days to fix the items but critical items must be fixed immediately. There are no time frames for these regulations. Mr. Barry suggested adding a timeframe to help with enforcement. Ms. Clement stated that she would try to get clarification from Town Counsel.
- Section 9.12.2 – Only a comment on enforcement.
- Section 9.12.3 – The Board and/or the Agent would make this determination. Mr. Roux asked if this shouldn't be other town employees. Ms. Kinnon stated that we are the ones that would hold a hearing for a violation. Ms. Clement stated that a critical violation would be if grease were bubbling up from the ground. She would be notified so it should remain with the Board or Agent.
- Section 9.16 – There is a comment about damages maybe difficult to collect. Ms. Clement agrees it's maybe difficult but it should be done. People need to be responsible for their actions and it's not fair to people who maintain their establishments. Ms. Kinnon stated that "occurred" should be "incurred". Mr. Barry stated that it should also state "shall be held accountable".
- Section 17.2.D – Remove Registered Sanitarian.

Ms. Clement stated that Chapter 111, Section 5.3.1 requires that the regulations be published but they have to be approved before publishing.

Proposed Amendments to Chapter 7 – Dumpster Regulations

Ms. Clement stated at the last meeting there was a few clean up items and then she was going to submit the regulations to the Town Manager. Since then, she has made additional changes.

- In the Definitions, container has been removed and the proper term has been used throughout the document.
- The definition for Short Term Dumpster has been added. Mr. Barry asked if the duration for the Short Term Dumpster has been added. Ms. Clement replied yes, the definition has been added and the length is specified later in the regulations. Ms. Clement stated that she would fix the typos.
- Section 7.5.5 – All dumpsters have been included.
- Section 7.8 – Short Term Dumpsters details are added including duration. Ms. Clement stated that we need to add the time frame for filling and emptying the dumpster and we need to include Short Term Dumpsters in the name display requirement and maintenance sections.

Mr. Barry asked if we should include what not to put into dumpsters. Mr. French replied that what is in the dumpster is controlled by the dumpster owners.

Ms. Clement stated that she would update the changes and bring it back.

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Other Business

Health Fair Results

Ms. Clement thanked all the volunteers, participates, and attendees for making this health fair a success. They had 59 vendors with more on a wait list and over 330 people attended. She thanked all who participated; the volunteers, Ginny Desmond, Linda Brabant, Diane Joy, Jan Conole and all the staff, the volunteers, the bus from the Blair House and all the vendors.

Announcements

Ms. Clement stated that there would be a public information meeting on June 19, 2013 at 7:00 PM at the Trahan School regarding Sutton Brook.

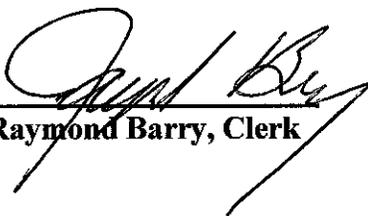
Ms. Clement stated that the Planning Board is looking for studies and impacts on medical marijuana. On Tuesday she went to a substance abuse task force meeting. We have to get the zoning done within a year.

Ms. Clement stated that Lowell was awarded a grant for opioid abuse collaborative. There are four communities involved including Lowell, Tewksbury, Billerica, and Dracut.

Ms. Clement stated that there is a Safe Teen Program being held on June 28, 2013 from 10:00 – 11:30 AM at Fort Devens. This is geared toward school administrators, police departments, parent advisory councils, etc. If any on Tewksbury CARES or any other Board member is interested just let her know.

Ms. Kinnon stated that Ms. Clement received a thank you letter from MRC regarding her help in setting up information meetings on pet information for emergencies.

MOTION - Ms. Kinnon made a motion to close the meeting and adjourn at 9:00 PM. The motion was seconded by Mr. Barry and unanimously voted 4-0.

Approved: 
Raymond Barry, Clerk

TEWKSBURY BOARD OF HEALTH MEETING

List of Documents for June 6, 2013

Documents can be located at the Board of Health's Office

Meeting Called To Order:

Approval of Departmental reports

First Quarter report

Old Business:

Chapter 9 Proposed Grease Regulations

Chapter 7 Proposed Dumpster Regulations

New Business

Central Mass Mosquito Control Project

Board Members Reports

Other Business

Health fair Results

Public Health Nurse Vacancy Update

Announcements

Adjourn

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