

# MONTAGUE BOARD OF HEALTH MEETING

Wednesday, February 15, 2017 – 5:30 pm – Downstairs Meeting Room  
Town Hall, One Avenue A, Turners Falls, MA

## Meeting Minutes

**Present:** Al Cummings, Chair, Christopher Boutwell and Michael Nelson

**Staff:** Gina McNeely, Director of Public Health

### **Minutes December 21, 2016:**

Michael Nelson **motioned** to accept the December 21, 2016 minutes as presented. Seconded by Christopher Boutwell. **Motion passes.** *Note the BOH did not meet in January 2017*

### **Director's Report for December 2016:**

- Busy month for septic systems and plan reviews
- Gina let the board know that the state will be changing and adopting several codes in 2017: The Food Code (state will be adopting the 2013 Federal Food Code by reference and re-writing the state food regulations), Recreational Camps for Children Regulations will be updated and the Swimming Pool Codes are being looked at by the State for potential changes and updates.
- Duane Jenks brought to the attention of the BOH that 394 Federal Street has a “hole” in the front yard. Mr. Jenks appears never to miss an opportunity, regardless of how small, to complain about anything he deems untoward at 394 Federal St. It happens that Jimmer Senn is working his septic system...an issue initially reported by Mr. Jenks when he noticed Mr. Senn digging in his own front yard. I have been out there as has septic designer Kathie Bridges there was clogged pipe and that has been fixed. The “hole” is not deep and exposes the septic tank. It is not a public health issue at this time.
- There was a water quality testing issue regarding a Title 5 water analysis that was conducted at 209 Sunderland Road. This took several hours to resolve and led to Gina discovering requirements in Title 5 that are unreasonable, not based on science and very difficult for individual homeowner's to comply with. This issue took several hours over the course of days to resolve.
- We received a request for a 10 Day Emergency Permit to Trap Beaver. Since we are currently in legal beaver trapping season no permit shall be issued. Also, the erroneous application was a request to breach a beaver dam which the Conservation Commission issues, not the BoH.
- 38 East Main Street a court hearing will take place in the next week or so regarding the continued issue of owner non-compliance and possible receivership.
- Christopher Boutwell **motioned** to accept the December 2016 Director's Report. Seconded by Michael Nelson. **Motion passes.**

### **Director's Report for January 2017:**

- 38 East Main Street: Gina is concerned about the process of both rehabilitating the building while simultaneously upgrading fire doors, smoke alarms and fire suppression systems. The building is gutted on the left side yet apartments 4 & 7 are currently occupied which is cause for concern. Gina has talked at length with Fire Chief Zellmann and Building Inspector David Jensen about keeping the occupants safe during this massive renovation.
- Downtown Millers there have been inquiries about a new businesses coming (smokehouse) into the newly rehabbed buildings done by Obear Construction.
- At 163 Ripley Road there is a home built in the 1800's requires a new septic system.
- Gina has been in contact with the Town of Greenfield to contract with the City as the MAVEN Administrator for the Town of Montague.

- We placed an ad in both the Montague Reporter and Greenfield Reporter for a Town of Montague Nurse. This position will be 5 hours a week.
- We continue to work on a temporary food vendor packet to assist applicants and to streamline the permitting process for 2017.

Christopher Boutwell **motioned** to accept the December 2016 Director's Report. Seconded by Michael Nelson. **Motion passes.**

#### **Health Inspector's Report for December 2016:**

- 107 G Street – the BOH has done its part on this issue
- Ramblers Septic System is completely installed and approved.
- 404 Montague City Road dispute between the landlord and tenant. Due to non-compliance we have made a motion for a show cause hearing at the Western Division Housing Court.
- Cumberland Farm contacted us to inquire about our (youth access) Tobacco Sales Regulation, the manager wanted to cut down or stop checking ID's because it is time consuming for the store: he wanted to know what the penalties were if they are caught selling to someone underage since they have been cited and fined previously. Gina reminded Cumberland Farms to review the regulations and keep in mind that that violations stay on the record for 36 months.
- *From the regulations:*
- 1. *It shall be the responsibility of the establishment, permit holder and/or his or her business agent to ensure compliance with all sections of this regulation pertaining to his or her distribution of tobacco and/or nicotine delivery products. The violator shall receive:*
  - a. *In the case of a first violation, a fine of one hundred dollars (\$100.00).*
  - b. *In the case of a second violation within 36 months of the date of the current violation, a fine of two hundred dollars (\$200.00) and the Tobacco and Nicotine Delivery Product Sales Permit may be suspended for seven (7) consecutive business days*
  - c. *In the case of three or more violations within a 36-month period, a fine of three hundred dollars (\$300.00) and the Tobacco and Nicotine Delivery Product Sales Permit may be suspended for thirty (30) consecutive business days.*

Michael Nelson **motioned** to accept the December 2016 Health Inspector's Report. Seconded by Christopher Boutwell. **Motion passes.**

#### **Health Inspector's Report for January 2017:**

- 9 Vladish Avenue complaint regarding trash, lawn mowers, junk. OTC sent
- 2 Alice Street the owner was running a metal recycling business out of this residence
- 39 X Street sold to William Doyle: this dilapidated property will now be properly rehabilitated.
- 30 Park Street ongoing issues, however, we are close to reaching compliance.
- 51 Oakman Street garbage and failing windows the house needs some work especially around the bay windows due wood rotting.
- 216 Wendell Road going up for auction.

Michael Nelson **motioned** to accept the January 2017 Health Inspector's Report. Seconded by Christopher Boutwell. **Motion passes.**

#### **Appointment of Dennis Lacourse (Compliance Officer) and Dalila Gomes (Tobacco Coordinator) as authorized agents for the BOH for tobacco related work.**

Gina has some issues and concerns including why suddenly each town has to appoint and be responsible for the employees of the coalition when for years coalition personnel were answerable to the Tobacco Coalition.

Christopher Boutwell **motioned** to put on hold the appointment of Dennis Lacourse and Dalila Gomes until further clarification and information is presented to the board. Seconded by Christopher Boutwell. **Motion passes.**

**Discussion regarding requiring all food establishments and vendors to have an allergen awareness certificate.**

Massachusetts law requires a certificate of awareness for food vendors. Also vendors must post a sign requesting customers to inform their server if they have any allergies.

**Local Upgrade Approval Request for 163 Ripley Road**

Gina shared results of a soil sieve analysis for 163 Ripley Road. Because of the spring high water table conducting perc test was impossible because groundwater filled the perc hole. Accepting a soil sieve analysis data instead of a timed perc test requires require a local upgrade approval from the board of health.

Michael Nelson **motioned** to accept the use of a sieve analysis as a substitute for a percolation test at 163 Ripley Road. Seconded by Christopher Boutwell. **Motion passes**

**Discuss proposed contract agreement between the City of Greenfield Health Department and the Town of Montague Board of Health regarding a Public Nurse position.**

Gina had a conversation with the Greenfield Director of Health and is proposing that Montague contract with Greenfield for their Public Health Nurse to oversee MAVEN. The proposed contract is as follows: \$30.00 per month for the ongoing monitoring of the Town of Montague's MAVEN's account. If case investigation is needed, a rate of \$40.00/hr for all required work; and if a TB case is confirmed and DOT (directly observed therapy) is required \$50.00/hr for all related work.

The City of Greenfield Health Department shall quarterly invoice the Montague BOH with payment due in 30 days.

Gina investigated contracting with the FRCOG and found it would be prohibitively expensive and contractually significantly more binding and onerous. Board of Health is allowed to enter into such contracts pursuant to MGL Chapter 111 Section 27.

Michael Nelson **motioned** to accept the contract agreement between the City of Greenfield Health Department and the Town of Montague Board of Health regarding MAVEN coverage and a public nurse position. Seconded by, Christopher Boutwell. **Motion passes**

Christopher Boutwell **motioned** to adjourn at 6:24PM. Seconded by, Michael Nelson. **Motion passes.**

Meeting adjourned: 6:24 PM

Approved by: \_\_\_\_\_

Date: \_\_\_\_\_

**List of documents used at this meeting:**

December Minutes

December Director's Report

January Director's Report

December Health Inspector's Report

January Health Inspector's Report

Contract agreement between Greenfield Health Department and Town of Montague Board of Health