

Ayer Board of Health  
Meeting Minutes  
January 12, 2009

Call to order 5:01pm

Members present: Margaret Kidder, Chair; Marilyn McMillan, Clerk and Mary Spinner, Member  
Also present: Michelle Carlisle, Administrative Assistant

- Minutes approval for 12/22/08 –
  - **M. Spinner motioned to approve minutes from 12/22/08, M. Kidder 2<sup>nd</sup>, motion carried 2/0.**
- Bills approval –
  - Cause Media – signs for EDS site. Funds to come from grant money.
  - Nashoba Associated Boards of Health quarterly invoice.
- Ruth Maxant –
  - Addressed the board stating that she was very upset that the board went to Town Counsel as a result of an email complaint from Bill and Patty Siekman.
  - M. Kidder asked Ruth Maxant if she has ever been a party to a legal agreement other than with the Board of Health. Ruth Maxant stated yes. M. Kidder then asked if she ever needed to make changes to that agreement. Ruth Maxant stated no.
  - M. Kidder explained that any changes to a legal agreement must go through the court system.
  - M. Kidder stated that it is Ruth Maxant's responsibility to initiate any changes that she wants to make to the court order, not the board's.
  - M. McMillan stated that once the email came from M/M Siekman, it was turned over to Town Counsel.
  - Ruth Maxant was very upset that the board did not contact her directly.
  - M. McMillan stated the board took the conservative approach by contacting Town Counsel. If they didn't, it could've become a "he said/she said" situation.
  - Ruth Maxant asked that in the future, that the board contact her if a complaint is made regarding her property. M. Kidder stated that the board will make every effort to meet her request, but made no promises.
  - Laurie Hanes stated that going to B. Braley is not a best effort. M. Kidder stated that Ruth Maxant asked this board to contact her in the future and the board will make their best effort going forward.
  - Laurie Hanes stated that each party should be present if there is a complaint. Again, M. Kidder stated that every effort will be made going forward.
  - M. Kidder stated that the Board of Health can not and will not solve neighborhood disputes. The board can only deal with issues regarding the health and welfare of its residents and the court ordered agreement between this board and Ruth Maxant.
- Mail Review – Reviewed.
- Discussion regarding 112 Barnum Road 500 gallon acid spill at Evergreen Solar.
  - M. Carlisle arranging a meeting between MA Dept. Of Environmental Protection, Devens Enterprise Commission, Rick Linde, Ayer Water Foreman and this board.
- Nashoba Associated Boards of Health – Bridgette Braley, Health Agent – material review
  - Housing violations.
  - Follow-up letter to Mr. McNiff. Board does not feel that the property is cleaned up enough to meet the schedule Mr. McNiff agreed to.
  - New restaurant – The Cottage

- Tanning permits.
- 64 Willow Road
- M. Carlisle to follow-up with Bob Friedrich, Plumbing Inspector, via email, regarding 64 Willow Road and copy M. Kidder.
- Budget Meeting – M. Kidder can't attend at 8PM tonight. M. Spinner will give a copy of the budget to FinComm approved by M. Kidder.
- Review Fees –
  - M. Spinner stated that the board needs to be able to fine food establishments for repeat violations.
  - All agreed it should start on the second offense.
  - Suggested \$100 for each critical violation sited and 5 days to correct each violation or face being shut down.
  - M. McMillan stated all employees must wear hair nets or pull hair back with a hat.
  - M. Carlisle asked about stating which violations will carry a fine. M. Carlisle to get a list of all critical violations so the board can choose which violations they feel should carry a fine.
  - M. Spinner stated the Board of Selectman are already talking about layoffs and cutting employees hours.
  - M. Spinner suggested increasing the Transfer Station Permit fee to \$60 and \$35 for seniors.
  - **M. Spinner motioned to increase the Transfer Station Permit fee from \$50 to \$60 and from \$30 to \$35 for seniors for FY10, M. McMillan 2<sup>nd</sup>, motion carried 3/0.**
- Miscellaneous –
  - M. Carlisle request for vacation time: Feb. 17 – 20, 2009. OK
  - DPW bag tag revenue – request by Pam Martin, Office Manager, DPW, to report bag tag revenues quarterly. OK by board, but needs to be reported by the 10<sup>th</sup> of the month following the end of a quarter.
  - Procurement training – M. Carlisle can't attend.
- **M. McMillan motioned to adjourn, M. Kidder 2<sup>nd</sup>, motioned carried 3/0.**

Meeting adjourned at 6:11pm.

*M. Carlisle - 1/26/09*

*M. McMillan 1/20/09*