

Chairperson Lynne Marchetti and Marlene Sanders, present.
David Driscoll arrived late at 7:05 pm.
Health Agent Elaine Wozny present.

Ms. Marchetti called the meeting to order at 6:34 pm, February 28, 2008, at the TOHP Burnham Public Library, 30 Martin Street, Essex.

Appointments

Brian Healy, 45 Lufkin Point Road: Brian Healy in attendance. He had spoken with Dave Farris of DEP in regards to the property at 45 Lufkin Point Road. Mr. Farris indicated that DEP looks to the local BOH for evaluation of the conditions of the 1993 DEP variances. Mr. Healy stated that they are staying within those variance conditions, not altering the existing footprint, not increasing square footage and not adding bedrooms to the dwelling. He said that he would write and stamp an affidavit, as architect, stating that they are in compliance within these conditions. The Board discussed this issue, reviewed both current and proposed plans of the house as provided by Mr. Healy.

William Matthews, 177 John Wise Avenue: Bill Matthews, owner, and Dan Monroe, realtor, in attendance. The Board asked for clarification on the maintenance contract as the system at 177 John Wise Avenue had not been inspected since May 2007. Microfast I/A system require inspections twice a year or every six months. The system was subsequently inspected on 2/27/08 and everything appears in order.

Board of Health Minutes

January 31, 2008: Ms. Sanders made a motion for the Board to approve minutes, as written, for January 31, 2008. Ms. Marchetti seconded the motion. **Vote: All in favor.**

February 25, 2008 AM: Ms. Sanders made a motion for the Board to approve minutes, as written, for February 25, 2008 AM. Ms. Marchetti seconded the motion. **Vote: All in favor.**

February 25, 2008 PM: Ms. Sanders made a motion for the Board to approve minutes, as written, for February 25, 2008 PM. Ms. Marchetti seconded the motion. **Vote: All in favor.**

Bills Payable

#308, \$167.58: Ms. Sanders made a motion for the Board to sign bills payable, #308, in the amount of \$167.50. Ms. Marchetti seconded the motion. **Vote: All in favor.**

Inspection Report Reviews

177 John Wise Ave, Map 22, Lot 4: Ms. Marchetti entertained a motion that the Board sign and send a letter to Chambers stating that the Board is in agreement with inspector, Dan Johnson, that the system at 177 John Wise Ave, Map 22, Lot 4 passed the title 5 inspection done on 2/14/08. Ms. Sanders so moved. Original letter given to Mr. Matthews, copy to the realtor. **Vote: All in favor.**

Septic System Design Plan Review

40, 46 Choate Street, Guerin, Map 16, Lots 17A & 17B: Ms. Marchetti entertained a motion for the Board to disapprove the septic system design by John Judd, dated 1/21/08, for 40, 46 Choate Street, Map 16, Lots 17A & 17B for the ten reasons outlined in the administrator's 2/28/08 report. Ms. Sanders so moved. **Vote: All in favor.**

Building Permit Applications & Occupancy Permits

119 Main Street, Woodman, Map 37, Lot 48: Ms. Marchetti entertained a motion for the Board to have Ms. Wozny endorse Woodman's undated building permit application for a 16' X 10' shed at 119 Main Street, Map 37, Lot 48, with the further notation that it is for placement of a shed only and does not guarantee later approval for the proposed use as an ice cream shop. Ms. Sanders so moved. **Vote: All in favor.**

45 Lufkin Point Road, Healy, Map 20, Lot 16: Ms. Marchetti entertained a motion for the Board to have Ms. Wozny endorse Healy's building permit application, dated 2/25/08 for interior renovations including new kitchen & bathroom, bedroom, roof terrace, new cedar siding, windows & doors for the house at 45 Lufkin Point Road, Map 20, Lot 16 staying in compliance with the 1993 DEP variance. Mr. Healy said that he would, as architect, write and stamp an affidavit for the BOH file that they are in compliance with the conditions of the variance approval of the on site septic system which stated: "The footprint of the existing dwelling shall not be altered, the square footage of the dwelling shall not be increased, and no additional bedrooms shall be added to the existing dwelling". Dr. Driscoll so moved. **Vote: All in favor.**

2008 Permit Renewals

Food Service Establishment Permit: Ms. Marchetti entertained a motion for the Board to sign the following food service establishment permits; #23, for Timothy S. Hopkins Catering, 8 Scot's Way, Permit #27, for Chanty, Inc., d/b/a Richdale Store, 156 Main Street and #28, for Blue Marlin Grille, 65 Eastern Avenue. Ms. Sanders so moved. **Vote: All in favor.**

Food Service Retail: Ms. Marchetti entertained a motion for the Board to sign a food service retail permit, #8, for Chanty., d/b/a Richdale Store, 156 Main Street. Ms. Sanders so moved. **Vote: All in favor.**

Milk & Cream: Ms. Marchetti entertained a motion for the Board to sign milk and cream permit #5 for Chanty, Inc., d/b/a Richdale Store, 156 Main Street. Ms. Sanders so moved. **Vote: All in favor.**

Tobacco: Ms. Marchetti entertained a motion for the Board to sign tobacco permit # 4 for Chanty, Inc., d/b/a Richdale Store, 156 Main Street. Ms. Sanders so moved. **Vote: All in favor.**

Other Issues

2007 Annual Report: Ms. Marchetti signed the 2007 BOH Annual Report as submitted.

Town Meeting Article: Ms. Wozny had drafted an article for Board review. Town Meeting Articles are due by March 10. The Board agreed to submit the article, the wording as written below:

Article

To See if the Town will vote Pursuant to G.L. c. 44, § 53E ½ to authorize a revolving fund by the Board of Health for the purpose of purchase of supplies and/pharmaceuticals as needed by the Public Health Nurse. Medicare and other reimbursements and donations shall be credited to the fund and expenditures from the fund shall be authorized by the Board of Health; or take any action thereto.

Town Meeting Article Evolved to Discussion on Public Health Nurse: If there is an emergency, Partner's VNA who currently contracts out nursing services to the Essex BOH, has indicated that the town would be on their own. Although the services provided, ie: flu clinics, home visits and communicable disease follow up, by the current VNA nurse are very good, as per Ms. Wozny, we are not getting as many services as we could be getting should we have a Public Health Nurse on the BOH payroll. Some of the services an Essex Public Health Nurse might be: emergency preparedness, outreach, home visits for a house bound spouse when the other spouse is hospitalized, ask the nurse hours for seniors at the Council on Aging, blood pressure checks, camp immunization checks, public health education, coordinating student immunizations with school nurse, continuation of flu clinics with Medicare and other reimbursement revenue to the town revolving fund. Articles in the Senior Center Newsletter and the Beacon would be helpful to educate the public on the benefits of a Public Health Nurse to the citizens of Essex; Ms. Marchetti suggested working on the articles a little bit every meeting. Essex is the only town in the coalition that does not have a Public Health Nurse as per Ms. Sanders.

Clam Fest/Chamber/BOS/BOH Meeting of 2/25/08: Discussion on the Clam Fest/Chamber/BOS/BOH meeting results and requests of 2/25/08 as well as comparison of other local TFE requirements. Gloucester's TFE application form is much more concise and easier to use as per Dr. Driscoll who feels the Board could simplify the Essex form. Ms. Sanders added, as long as we have all the information the FDA requires on the form. Sue Lufkin from the Chamber is willing to work with the Board on the Essex TFE form to improve its usability. She is available to attend the 3/27/08 BOH meeting as per Ms. Marchetti. In other local towns, an event coordinator facilitates getting information and

paperwork out to vendors and participants as per Ms. Wozny. In the case of the Clam Fest, the Chamber is the coordinator and should take more initiative in this regard than they have in the past.

Elaine Wozny, Leave Use Notification: Ms. Marchetti entertained the motion for the Board to endorse Ms. Wozny’s Leave Use Notification form for the dates: 2/14/08, 2/15/08 & 2/19/08. Ms. Sanders so moved. **Vote: All in favor.**

Massage Discussion: Discussion on whether the Board will permit the exceptions to the new State of Massachusetts massage therapy permitting process and other massage permitting issues. The State will grandfather massage therapist who have had a valid city/town license to practice massage therapy during the last two years a state license. Reimbursement of those practitioner’s permit fees collected by the BOH for the year 2008 will not take place until State practices are more certain. Letters stating the requirement that all massage establishments in Essex be permitted by the BOH. Ms. Marchetti requested that a letter be sent to massage and other practitioners that they need proof that they have been licensed by the State; otherwise they are required to have a practitioner’s license in the Town of Essex. Ms. Wozny is authorized by the Board to sign both letters.

Brett Ramsey, Farm Creek Construction, Installer’s Exam Waiver: Board discussion on the letter from Brett Ramsey requesting a waiver on retaking the installer’s exam due to change of clerical staff at his Farm Creek Construction office resulting in the late mailing of the permit renewal application which, as noted on renewal notices sent in late November 2007, stated that “If your application for renewal is not received by January 14, 2008, you will be subject to retaking the installer’s examination & a \$100.00 fee will be assessed”. A check for \$100 was received with his request. The Board agreed to waive Mr. Ramsey’s retesting requirement, his permit will be signed at the next meeting.

Lewis’ Restaurant: Ms. Wozny informed the Board that she was notified by DEP that during a recent sanitary survey, DEP discovered that the water supply well on Lewis’ Restaurant property appears to be within 100’ of the pump chamber of their septic system. This well is classified as a public well because it services more than 25 people per day for 60 or more days per year. There is no mention of the location of the well in BOH files. Ms. Wozny left a message with Damon Boutchie, who was the operator of the well, but has yet to hear back. She expects to hear more about it in the future.

Delinquent Permit Holders: Ms. Wozny explained to the Board that there are permit holders who are delinquent. She requested Board permission to send them letters. The Board agreed.

Meeting Adjourned: 9:40 pm

Next BOH meeting: 3/13/08

Prepared by _____
Ann White

Attested by _____
Marlene Sanders, Board of Health Clerk