

**BOARD OF HEALTH MEETING MINUTES  
GREAT BARRINGTON FIRE STATION MEETING ROOM  
37 STATE ROAD, GREAT BARRINGTON, MA  
THURSDAY, MARCH 10, 2016  
7:00 P.M.**

**PRESENT:**

CLAUDIA RYAN, CHAIR  
MICHAEL LANOUE, VICE CHAIR  
PETER STANTON, MEMBER  
JAYNE SMITH – HEALTH AGENT

**1. CALL TO ORDER**

**2. APPROVAL OF MINUTES:**

**A. Minutes of February 4, 2016**

**MOTION:** Michael Lanoue to approve the February 4, 2016 Minutes.

**SECOND:** Peter Stanton

**VOTE:** 3-0 (Claudia Stepped down as Chair) PASSED

**3. SPECIAL PERMIT RECOMMENDATIONS**

Application of Luke Germain for a mixed use project at 117 State Road, Great Barrington, in accordance with Sections 3.1.4, A(7), 8.4 and 10.4 of the Great Barrington Zoning Bylaw. The project proposes to convert a pre-existing non-conforming barn into an office use and retain the existing 2-family dwelling on the property.

- a) Recommendation to the Zoning Board of Appeals (conversion of a nonconforming structure)
- b) Recommendation to the Select board (mixed use proposal)

Matthew Puntin of SK design Group was present to explain the requests. He explained that there is an existing duplex home on the property and in back there is a barn that is used as an art gallery. The barn is proposed to be used as the business. It was noted that the property is on Town water and sewer. Jayne stated she did not foresee any health issues.

**MOTION:** Michael Lanoue to forward a favorable recommendation to the Select Board and Zoning Board of Appeals.

**SECOND:** Peter Stanton

**VOTE:** 3-0 (Claudia Stepped down as Chair) PASSED

**4. HEARING REQUEST** (continued from February 4, 2016) Requested hearing with Board of Health for orders listed in the Order to Correct issued from the Health Agent to the Great Barrington Housing Authority in December 10, 2015 letter. Jayne explained on December 21<sup>st</sup>, 2016 the Great Barrington Housing Authority sent in a request for a hearing in regard to the previous correction order and that the hearing was subsequently requested to be extended until today. Attorney John Liebel was present representing the Housing Authority. He noted in the order of 12/10/15 the Board requested that an expert be hired to evaluate the dampness and mold problem. An industrial hygienist has been retained and he did an inspection on February 25, 2016 and has submitted testing to labs and we have the results back. He has authored a draft report with recommendations. The specific recommendations have been laid out and include cleaning of surfaces within units 11, 13 and 15. Also, it recommended that Unit 15 – additional cleaning and additional grading excavation be done to direct the drainage away from the building and that Unit 1 removal and replacement of sheet rock in the mechanical room. It was recommended that

all three units have dehumidifiers installed and plumbed directly into the drainage system.

Attorney Liebel noted that the consultant did air testing and surface sampling. He noted where there is exterior mold that there could be interior mold as well. This expert will return at the conclusion of the remedial steps. He will retest and will make further recommendations that need to be done. It was discussed that the residents cannot be responsible for the electricity needed to operate the dehumidifiers.

Jayne said she received a call from Unit 5 and forwarded it to Barbara. It is the same issue as the other units, namely condensation on the floor causing mold and mildew growth. There is some indication of moisture issues but it had been cleaned and it was hard to assess past mold growth.

Sarai and her mother, (Unit 13) noted she was surprised there was no investigation behind the wall. She noted the regrading was done poorly.

Ariene Blanchard (Unit 11) asked when the environmental engineer is coming to the apartment complex. She said she contacted A&E who is an industrial hygienist in Boston. They told her that the only way to clean mold is to cut it out. She noted that the slab foundation is the source of the dampness.

Jayne would attempt to be present when they cut into the wall after receiving the report. If the board has any questions, they can be sent to Jayne independently.

Richard Needleman (Housing Authority Board Member) said he noticed a few years ago, especially in the summer, the concrete pad in his garage would be wet. He found out it was humidity in the garage. He said he has a humidifier in the garage and now it isn't wet.

## 5 OLD BUSINESS

### A. Timeline for revised Great Barrington Youth Access to Tobacco Products and Environmental tobacco Smoke Regulations.

Jayne said she did some research on pharmacy bans on selling tobacco products. Up to a year ago there were 100 pharmacy bans. Jayne asked the board if they wished to go forward with the pharmacy ban on selling tobacco products. The board noted they would support the Tobacco 21 for the sale of all tobacco products, not putting smoking cessation products on the public access shelves, and include a 10 ft. buffer zone around the entrances for people who smoke, \$2.50 minimum for cigars, but not the pharmacy tobacco ban. The board noted they would like to review banning the flavored tobacco products. There is one store in town that would be impacted by flavored tobacco and they have a website where people can order on line. The Tobacco 21 regulation reads all tobacco or products containing tobacco except for FDA approved smoking cessation products. It is understood if you have an 18 year old that is trying to quit they would be able to access it. Jayne said she would contact Cheryl Sbarra who is the leading tobacco lawyer for Western Mass on clarifying the language on the smoking cessation products.

B. FDA Online Permitting Progress – Final figures were received from Full Circle. They will upload the data bases once the contract is signed. They also are paying for two tablets.

## 6. NEW BUSINESS

A. Fee Schedule revision to offset increased expenses for FY17 Budget. Jayne noted there was a budget hearing for the Board of Health on Monday. An increase was requested for inspector hours to 15/week. Jayne said she brought before the Finance Committee and Select Board the proposed increased fees would offset the increased inspector hours. After discussion, they requested that she bring it to the Board of Health for review and

then they would decide if they would support it or not. If you take what he would be earning with the 7 hours and what he would earn with the 15 hours it was under \$8,000. By the fee schedule, the department would earn \$7,000 more. The largest increase is for tobacco sales which were increased from \$100 to \$200.00. The FDA says for every 260 to 320 inspections you should have one full time inspector. We could send a letter stating this is a public service and the Board feels the health needs should be supported by the Town.

- B. Permitting interval (1 year vs. 2 year permits) Jayne said this was suggested at the Finance Committee/Select Board meeting. The applicant would pay double for a two year permit. Jayne noted that the annual permits give her a chance to be sure the certifications are up to date, etc. The Board is in favor of keeping the one year permit.
- C. Nail Salon permitting and regulations - Jayne noted we have nail salon regulations but they haven't been enforced for a number of years. The new fee for nail salons will be \$100.00.
- D. Rabies Clinic, March 12, 2016, Saturday from 10:00 a.m. to noon. The proceeds will benefit the Great Barrington Fire Fighters' Association. We had a cluster of dog bite incidents in February.
- E. Volunteer – Nan Wyle – Volunteer

**7. CITIZEN SPEAK TIME**

**8. HEALTH AGENT REPORT**

**9. APRIL MEETING DATE**

The next meeting will be April 14, 2016.

**10: ADJOURNMENT**



Carolyn Wichmann

Secretary