

MILBURY, MASS.  
TOWN CLERK

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MILBURY, MASS.

## MINUTES

### BOARD OF HEALTH

Date: January 25, 2012

PRESENT: Armand White, James Morin, Judith O'Connor, Derek Brindisi, Darlene Coyle  
Karyn Johnson

GUESTS: Court officer William Wilkinson, Kathleen Fairbanks

Meeting called to order at 7:00 P.M. by chairman Armand White

Minutes: A motion to accept the minutes for the January 11, 2012 meeting was made by Jim Morin. Seconded by Judy O'Connor. Vote unanimous.

Office Update: There was no office updates

Vouchers: Vouchers were signed by those present.

Health Agent Report: Darlene gave an update of Pearl Café. Several inspections have been made, including the building inspector, electrical inspector and fire chief. Derek re-inspected this week and things are improving. They were given two weeks, by all departments, to show violations are being addressed. Also needs allergen awareness certification. Darlene also recommends more than one person be serv safe certified. Armand stated if they are complying with Darlene, she can follow through until all issues resolved.

McGrath School: Darlene is following up on an asbestos complaint. She supplied the school with paperwork for an asbestos management plan, which is necessary. The management plan will show if there are any asbestos problems and if they are contained.

Darlene addressed a beaver permit being processed in town. Recommends a fee be issued in the future, as it is time intense.

Derek explained the trapper does not always need Board of Health permit, depending on the type of trap being used and if it is trapping season vs non trapping season. The fee should be structured accordingly.

Trapping season is November 1<sup>st</sup> to April 15<sup>th</sup>. Derek will research fee schedule in other towns and then make a recommendation to the board.

#### Kathleen Fairbanks : (Dirty Girl Disposal)

Armand addressed Ms. Kathleen Fairbanks, stating the board wants to be fair with her, as with any other business in town. If the board allows her to permit two businesses under one permit, then all businesses would do the same. He referred to the previous court dates, stating the judge ordered her to pay \$300.00 fine unless she came to an agreement with the board before 2/1/12. If an agreement is reached, the judge would dismiss the \$300.00 fine and assess the \$50.00 court fee. After discussion, an agreement was reached between the board and Dirty Girl Disposal. Ms. Kathleen Fairbanks, agreed not to haul trash collected from Millbury residents with Dirty Girl Disposal containers. She is properly permitted to haul from Millbury residents with her other business, Millbury Rubbish Removal. Jim Morin made a motion that one fee be paid this year, for Millbury Rubbish Removal, and only those containers marked Millbury Rubbish Removal will be allowed to haul trash in Millbury. Armand White stepped down from the chair and seconded the motion. Judy O'Connor abstained. Two yes, one abstained. As agreed with the court, the \$300.00 fine will be dismissed and the \$50.00 court fee will be assessed.

#### Title V: 6 Ackerman Rd.

Gentleman selling his home, has passed Title V inspection within the last two years. Does not want to hook up to sewer. The entire board agreed there is no law stating he has to tie into sewer unless his system fails. Judy stated the betterment fee would have to be paid in full. A letter will be sent to the homeowner.

Karen Johnson addressed the issue of tobacco control, wanted the board aware of what she does for the town other than enforcement. Currently working on reducing youth access. Appears the town only has regulations in regard to smoking around membership associations. Armand stated the schools are also regulated by the town. Karen went on to explain some of the products that are out there for the kids to buy. Wafers, lozenges, skin gels, etc. She is proposing the board look at a model regulation from the state. It addresses banning vending machine, tobacco give aways. They would cite under Mass General Law. More stringent fines and possible suspensions. Also possible closure of some tobacco establishments to reduce access points. Armand asked Karyn to consider a presentation at the schools in town. He gave her the contact information. Karen and Derek will review the towns rules and regulations regarding smoking and make any recommendations they deem necessary.

#### No Smoking Signs:

Armand gave an update of where the signs are at the schools. He states they are not adequate, not visual. He also talked with Chet Hanratty. With the boards permission, he will proceed with Mr. Hanratty with placement of signs at the schools and Windle Field. Board members agreed, and he will move forward.

Armand presented members with a copy of what changes he would like to propose in regards to public restrooms and businesses. He would like to see everything automated. Toilets, urinals, faucets, soap dispensers, paper towel dispensers, and no doors, or doors that could be opened with shoulder or arm and not hand. Wants the board to consider for discussion at a later date.

This could be implemented now with new construction. Old businesses and town buildings would have six months to a year to comply. Derek will do the research, may have to use town counsel to see if legal. Darlene stated if no regulation is passed, a strong recommendation can be made with new buildings or construction plans.

Judy stated Board of Health budget was turned into Bob Spain as level funded.

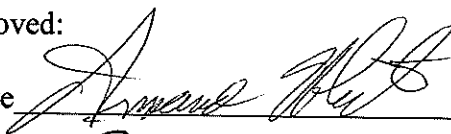
Judy also concerned about anonymous complaints coming from a friend of a friend. Does not feel it is fair to the owner of establishment, and may be considered harassment. The board agreed, complaint has to come from 1<sup>st</sup> party. Others may come before the board to address their complaint.

Jim asked who is doing food inspections for those affiliated with the board. Derek stated Kerry Clark is doing them to avoid a conflict of interest. He is not known by the board members. Karen Johnson is inspecting the churches. Either or both may need contact information which is available in the office.

A motion to adjourn at 8:30 P.M. was made by Jim Morin. Seconded by Judy O'Connor. Vote unanimous.

Minutes approved:

Armand White



James Morin



Judith O'Connor

