

TOWN CLERK

12 APR 11 PM 1:15

MARLBOROUGH, MA

# MINUTES

## BOARD OF HEALTH

Date: March 28, 2012

PRESENT: James Morin, Judith O'Connor, Darlene Coyle

ABSENT: Armand White, Derek Brindisi

GUESTS: Ron Marlborough and Joe Coggins  
Lions Club Members

Meeting called to order at 7:00 P.M. by Vice Chairman Jim Morin

Minutes: A motion to accept the minutes for the March 14<sup>th</sup>, 2012 meeting was made by Judy O'Connor. Seconded by Jim Morin. Vote unanimous.

Office Update: No office updates

Vouchers: Vouchers were signed by those present.

### Health Agent Report:

#### Rte.146/Blackstone Mall:

Darlene addressed numerous odor complaints from the vicinity of Rte. 146/Blackstone Mall area. Judy asked what the smell was like. She experienced sweet burnt smell. Darlene described it as a sweet chemical smell. She completed a site inspection with DEP, the property owner, and Cox Industries, owners of the telephone poles. Approximately 700 poles on site, delivery is every two weeks. Cox Industries supplied information showing what chemicals are used to pressure treat the poles. Aquarion also has concerns regarding ground water. Judy stated insecticides are very toxic. She also referred to many previous odor complaints that were never related to the telephone poles. Darlene stated information provided by Cox Industries will go to Bob Spain and Aquarion representative Fran King to address any ground water contaminates. Jim asked if permitting was issued by any town departments. Darlene stated no. Judy thought any type of toxic chemical being stored in town needed to come to the Board of Health. Jim

asked if the polls are legal. Darlene suggested waiting until Aquarion reviews the chemicals involved and if they affect the groundwater. Jim stated there is a bylaw or regulation regarding nothing within a 50' waterway. Julie to check with town clerk's office for bylaw.

#### Pearl Café:

Owner Jing Zhena was sent a letter requesting he attend tonight's meeting to discuss number of outstanding violations. Mr Zhena did not attend the meeting. Darlene stated seven inspections have been done since January. She also stated there were still electrical problems. The owner told her he has an electrician, however, a check with the building inspector, no electrical permit had been pulled. Darlene stated permanent lighting has been installed. Food safety a major concern as very little is being corrected on the violations. Judy and Jim discussed pulling their permit until they can bring their establishment up to code.

Judy O'Connor made a motion that Jim Morin go to Pearl Café to issue an order to cease and desist for 24 hours. Seconded by Jim Morin. It was agreed Jim, escorted with a police officer, would close them on Thursday 3/29/12. Darlene stated she would be available Friday, 3/30/12 should a re-inspection be requested by Mr. Zhena.

#### Carnival:

Jim addressed Ron Marlboro and Joe Coggins, representatives from the Lions Club. Jim explained the boards concerns regarding the RV's gray water being dumped at Windle Field after the carnival. Ron stated that has not been an issue since they changed carnival owners six years ago. At that time, the new owner, Harold Fera from R.I. was told by Ron Marlborough, gray water dumping would not be tolerated. Harold Fera assured Ron, there would be no dumping of gray water on Windle Field. He has a septic hauler, Marchand, from Blackstone, pump his gray water and solid waste.

Ron has a meeting scheduled with Harold Fera in April, at which time they will discuss the need for a septic hauler permit from the Board of Health.

The porta potty's are emptied by Chase Harris, which is currently permitted through the Board of Health.

#### Old Business:

##### Farm Animals:

Darlene presented to the board a packet with several towns that regulate animals, with many variables. Judy checked with the Building Inspector and Town Planner and it appears there are no regulations controlling the number of animals in town. She is not looking for animal regulations for properties with five or more acres. Less than five acres is where there is a problem with close neighbors. Darlene suggested the board review the packets, tell her what is wanted for Millbury and she will draw up a draft for the regulation of animals.

##### Other Business:

12 Johnson St. fire was answered by Bill Wilkinson as last responder requested from the Millbury Police/ Fire Dept. Homeowner was using a solid fuel burning unit, which is illegal. Homeowner was told by Fire Dept. and Bill if he burns in it again, he will be fined.

Judy suggested the board set a date for the evaluation of the contract with the City of Worcester. Jim recommended 4/25/12 board meeting. All agreed.

Darlene received a call from the preliminary owner of the new Dunkin Donuts and a call from his attorney requesting a pre-meeting regarding number of sinks for new establishment. Normally this is established with the plan review, however, due to their insistence of a pre-meeting, she agreed to meet with them.

Discussion was held regarding requirement of 500 gallon grease trap for establishments. Darlene stated this was in accordance with DPW requirements. Judy responded it was the plumbing inspector who was responsible for setting size of grease trap. Darlene recommended having DPW director Rob McNeil attend a future meeting to clarify requirements.

Motion to adjourn at 8:45 P.M. was made by Judy O'Connor. Seconded by Jim Morin. Vote unanimous.

Minutes approved:

Armand White 

James Morin 

Judith O'Connor 