

**BOARD OF HEALTH  
MEETING MINUTES**



Town of Millbury  
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MILLBURY, MASS

**TOWN OF MILLBURY**  
APRIL 15, 2015

RECEIVED  
TOWN CLERK  
15 JUN 11 PM 2:50  
MILLBURY MASS

**Meeting Location:** Millbury Town Hall – Board of Health Office

**Members Present:** Armand O. White, Ronald J. Marlborough, James M. Morin

**Staff Present:** Judy Bater

**Health Agents Present:** Julie VanArsdalen, Mike Borowiec, James Malley

**Absent:** None

**Guest/s Present:** Robert Spain-Town Manager, Scott Despres

**Call to Order:** Armand White called to order the meeting of the Millbury Board of Health at 5:01 PM on April 15, 2015 in Millbury Town Hall – Board of Health Office

**Motion to Approve Minutes:** Ron Marlborough made a motion to accept the meeting minutes of March 11, 2015 Minutes.

Seconded by Jim Morin

Unanimous – Approved

**Vouchers:** Signed

**Department Update:** Judy Bater asked the Board if they would like to make an official decision as to who would be their voting proxy at the Region 2 –Emergency Preparedness Meetings. Judy also stated on behalf of Cheryl Rawinski that Cheryl would take on this responsibility as she already attends these meetings.

**VOTE:** Jim Morin made motion to authorize Cheryl Rawinski, Public Health Nurse to represent the Town of Millbury which includes being their voting proxy at the Region 2 – Emergency Preparedness Meetings.

Seconded by Ron Marlborough

Unanimous – Approved.

**Tobacco Violations:**

Judy also informed the Board of two Tobacco Violations. One sting was conducted by the FDA who issued a warning letter to Millbury Liquors for selling to a minor. The other sting was

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conducted by the Tobacco Coalition who issued a \$100.00 Fine to Xtra-Mart for selling to a minor. The fine has been paid.

**Housing Inspections/Certificate of Fitness:** After a brief discussion on housing inspections for the purpose of a voucher program Certificate of Fitness and/or low incoming housing voucher programs it was determined that this would be a liability issue and it is not currently part of our fee schedule to provide this type of lengthy inspection. Private contractors do provide this service for a fee.

**VOTE:** Jim Morin made a motion that the Millbury Board of Health will not offer Housing Inspections for the purpose of a Voucher Program/Certificate of Fitness.

Seconded: Ron Marlborough

Unanimous – Approved

**Robert Spain – Town Manager:** Robert Spain wanted to discuss with the Board the contract negotiations for the IMA (inter-municipal agreement) that he is currently involved in with the City of Worcester – Coalition. He stated that he did know the price would increase and wanted the City Manager, Kathy Johnson to understand his position that we do not include Title 5 and Nursing as part of our arrangement and therefore he does not agree with the formula that they use to divide the administration costs between the participating towns. Mr. Spain wanted to communicate with the Board as to their desires to stay with the coalition. The Board all agreed that they continue to be pleased with Jim Malley as their Title 5 Engineer, Cheryl Rawinski as their Public Health Nurse and Julie VanArsdalen as their Health Inspector. They do not want to see any changes in these areas. They are also satisfied with the other services offered by the coalition which includes services that have been provided by Mike Borowiec. The Board also agreed that price is a factor when it comes to the coalition and they do have limits as to how much they would agree upon spending. Mr. Spain stated that if the price increases too much and exceeds what he has tentatively budgeted for this service, he will consider other options. However, he will most likely sign the same IMA for a 1 year agreement with 2 year options. The Board stated that they have confidence in Mr. Spain's negotiation skills but with his pending retirement they would like to see a 3 year agreement if reasonable to discuss.

**Local Upgrade/Variance:** None

**Jim Malley – Update: Cobblestone Village:** Jim wanted to explain to the Board about a complaint letter that was received in regards to Cobblestone Village. The resident is concerned about blasting and dust and noise. She is requesting the Board of Health to reject the plans. Jim stated that this is not our jurisdiction and we have to be more reactionary in this case. If the dust and debris do indeed become an issue we would need to respond to the complaint at that time. We can't prevent a situation based on an assumption that the nuisance will occur. The Board agreed.

**Conservation Complaint – Blash Farm:** Jim also wanted to update the Board in regards to a complaint received by Matt Ashmankas in regards to potential sewerage and heavy metals coming from Blash Farm. Jim has made several attempts to reach Mr. Ashmankas but has been unable to reach him. Jim needs to find out from Mr. Ashmankas why he investigated this area and how he obtained this information and where exactly he was when he discovered the potential source. Jim stated that he does not know exactly where Mr. Ashmankas went and

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Julie stated that he explained to her that he went 520 yards off of the paved section of Dwinell Road, find two pieces of rotted wood that he placed there and continue in 200' west to where the overflow meets the tributary. Julie VanArsdalen stated that Mr. Ashmankas had also asked her who would test the stream for raw sewerage. He stated that 200 to 300 trout were in that stream and now none exist. Julie suggested that could be weather related. Mike suggested they draft a 3 day letter. Jim and Jim Morin agreed that they would like to speak with Mr. Blash in person as they do not clear on the full situation. However, Jim Malley would like to speak with Mr. Ashmankas prior to proceeding.

**Scott Despres:** Scott is running for Selectman and Armand invited him to attend our meeting to see how the Board of Health Operates. Armand explained the workings of the Board of Health to Mr. Despres. Julie VanArsdalen further explained that we are a complaint driven Department and explained her role. She also explained the nursing role of Cheryl Rawinski and Jim Malley's role as our engineer. Mike explained the role of the coalition. Armand further explained that in 15 years he has only had 3 people before him that he could not help and the Board goes out of their way to make people feel at ease. Mr. Despres stated that he only had 2 minutes to answer the questions that were posed to him and he did not intend to insult any department. He feels everyone always has room for improvement. The Board thanked Mr. Despres for coming and he thanked the Board for inviting him to attend.

**Health Inspector Update:** Julie VanArsdalen stated that Pizza Stadium has not yet submitted their paperwork. She responded to 5 complaints, all are case closed. Julie conducted a significant amount of food inspections. Some of the key points are as follows, Prime Supplements is moving to Auburn. Babies R Us had an issue with date codes on a batch of Beechnut organic products and she had them removed. Millbury Fish and Chips must remove their equipment from SEA Cuisine. Feng is updating their HACCP Plan. Julie stated that they invested over \$6,000.00 in retraining and they have fallen behind somewhat. She will do another inspection at Feng. Julie also explained to Feng staff that they are not allowed to sleep in the dry storage area. Another issue is the organic waste being stored behind the area of Justice. Julie stated that the kitchens are tight at the lower half of the mall and this issue will attract vermin. Organic waste must be emptied more frequently.

Julie explained that a retailer can order fresh or frozen pies. The retail person can change the expiration date of the pies if frozen and they would be valid for 7 days from the date the pies came out of the freezer.

### **Old/New Business:**

**Rhodes House/SMOC:** The Building Inspector submitted a letter with his update and he was satisfied with the progress. He will reinspect in August. Julie was also satisfied with the progress and will revisit in June.

**Recycling Requirements for Solid Waste Haulers:** The DEP Regulation for Waste Transfer Stations was provided to the Board. Ron stated that the haulers do not have to show the Board of Health their recycling numbers unless we have a regulation stating that. Jim Morin stated that they are required to recycle though. Ron and Armand do not want to pursue a regulation.

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**City of Worcester Update:** Mike Borowiec will provide a list of resources to the Board of health as requested, however, they do not have any interns currently to assist with this request.

**School Youth Survey:** The Board reviewed this confidential survey provided by the School in regards to the health of our youth.

**Motion to Adjourn at 6:40 PM:** Ron Marlborough made a motion to Adjourn

Seconded: Jim Morin Unanimous Approved.

  
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Armand O. White, Chairman

  
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Ronald J. Marlborough, Vice Chairman

  
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James M. Morin, Clerk