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TOWN CLERK
14 APR 24 AM 10:41
MILBURY MASS

MINUTES
BOARD OF HEALTH

Date: March 19, 2014

PRESENT: Agents: Jim Morin, Ron Marlborough
Engineer: Jim Malley
Clerk: Judy Bater
Worcester DPH: Health Inspector, Julie VanArsdalen, Director, Derek Brindisi,
Deputy Director, Chris Montiverdi

ABSENT: Armand White, Julie Mitchell

GUESTS: None

Office up-dates: **Treeline Construction**, Judy B. stated that we had received an email on 2-6-14 from DEP, James McQuade which stated that "we should be receiving a weekly schedule notification electronically." Julie M. had saved a WT&G newspaper article from 3-14-14 regarding Treeline Construction, titled "Fined by DEP" that mentioned "the removal and recycling of all solid waste by early summer". Julie M. was not sure if this time frame of early summer was significant and wanted to know how the board wished to proceed. The board agreed that Julie V. and Ron would make a site visit to Treeline on 3-25-14.

Minutes: Motion to accept the minutes of the March 12, 2014 meeting was made by Ron Marlborough. Seconded by Jim Morin. Vote unanimous.

Vouchers to be signed: None

Health Agent Report:

Julie V reported:

Elmwood St. School – Update – Ducts will be cleaned by Mighty Ducts during April vacation. Ron stated that he would like to have a maintenance schedule set up. Julie V. will speak with Rick Bedard. Julie believes they will look into the other school's needs, as well.

9 Pond Terrace: Pest control was hired and at least one raccoon was caught inside. Ron stated that the house will be torn down any day now.

Food Inspections by Julie V.:

Julie V. mentioned that she has been filling in by checking on some of the low risk establishments.

Goretti's inspection took a bit of time, however, no serious violations.

Panera, will be following up with the district manager as the manager must be ServSafe certified, have allergen awareness certificate and anti-choking.

Feng, she will follow up one more time. To reiterate, she had shut down the sushi bar until all of the staff were properly trained. That training has concluded.

Uno's also needs a follow up.

She is also waiting for Bob Spain to accompany her to the Senior Center for an inspection.

Jim Morin thanked Chris M. for the Town Report he thought it was terrific.

Chris M. asked about the clothing bin bylaw. Jim M. stated that it will be a bylaw and be on the May Town Meeting.

Julie V. continued with an update on the following properties:

Westview: AG's office is securing this property.

6 Curve Street: AG's office is securing this property, as well.

23 Grove Street: Julie V. stated that she completed a walk through and all dog feces had been picked up, amazing improvements. They reached out for assistance and she has been giving them tasks to complete. Significant progress has been made. She will make one more visit.

Chris M. mentioned that Public Health week is coming up and on April 13th from 10:30 AM to 11:30 AM.

Wheelabrator:

Reported by Jim Malley, Engineer:

Jim stated that he spoke to Bob Spain regarding the request from Sam Chapin, Managing Engineer, Brown and Caldwell requesting the Board of Health agrees with their interpretation of the site assignment to not prohibit the use of remediation water. Jim and Mr. Spain agree that the request is quite cryptic and needs further investigation. Jim mentioned that during his meeting with DEP, he was supposed to meet with one person and ending meeting with three people.

Roseanne Stanley stated that the Cadmium reading was on .07 which was slightly above where it should be. Jim found it disturbing that DEP had no approval process and DEP only audits and enforces. DEP also confirmed that they are using the water on the ash. Looking into which is more contaminated the water or the ash. Jim said that it took 13 years to construct a trench. The diesel fuel spill in 1994 was a significant spill. The ash is currently being trucked to Shrewsbury. Jim said that many questions exist that DEP has not answered. Jim stated the MCL is .051 and the reading is .07, it is still over the limit. Jim stated that he repeatedly was asking the same questions and Roseanne Stanley seemed frustrated by these questions and eventually she left the meeting. Jim said that he will never recommend to the board for them to allow them to use that water. Per the LSP report they have hits on Cadmium. Where does the run-off go? Is the ash more contaminated than the run-off? They do not know? Wheelabrator's

opinion is that the site assignment does not state what they can and cannot burn. DEP is attempting to gather all information. DEP is looking for the fuel release reports from 1994. Jim Morin asked where the Cadmium is coming from.

Jim Malley replied that they just don't know. It is coming from the plant.

Ron asked if the wetlands eventually go to Dorothy Pond.

Jim Malley will contact Sam Chapin to explain that they will not grant approval as this time.

Bob Jacques has been at Shrewsbury landfill for many years and possibly has some insight.

Derek stated that at the local level they would not be qualified to decide this. They have always relied on the expertise of DEP and in this situation even DEP has questions.

Ron mentioned that Mass American Water Company was mentioned as providing the water to Wheelabrator. Was that a former name of Aquarian? Documents have contradicting statements as to who is providing the water to Wheelabrator.

Jim Malley will set up a meeting with all of the parties involved which would include himself, Wheelabrator, Bob Spain, The Selectmen, DEP, and The Board of Health.

Chris offered their services stating that they could do some research on Cadmium. Judy provided the board with a print out from DEP explaining Cadmium. Derek feels the Cadmium is being re-introduced in some way.

Jim Malley stated that in his opinion that he feels that DEP is realizing a possible short-coming in that they are relying on an LSP rather than having their own regulations for this type of situation.

Derek read the email from Sam Chapin and agreed that it was lacking information.

All agreed that a meeting is necessary and Jim Malley will set that up.

Ron asked Derek what is new.

Derek stated that National Public Health Week is the first week of April. The Millbury Senior Center is included. Prescription Drug Take Back Day is the end of April, though Millbury has a kiosk for disposal at any time. Good event to promote.

Derek stated that they are still working on an application to track workflow and a separate application for inspections. Hopefully, they will have a good sense of cost by late summer. A grant pays for this technology. Derek discussed this while in San Diego recently. Many health departments are interested in this technology. All of the attorneys are involved with the copy right issues. They are trying to think of creative ways to bring in revenue as the Federal Government cut the fourth year from the four year regional grant. Derek added that most towns are having budget constraints. Worcester goes after non-compliant property owners and charges them. Jim Morin suggested that we look into having the Board of Health set up with a revolving account, keeping funds in our own department. Derek mentioned that West Boylston has a revolving account keeping all funds generated by the BOH in the health department. Derek spoke with the commissioner at the State level regarding other options.

Wheelabrator: Jim Malley read a DEP notification received by the BOH on 3-17-2014 stating that Wheelabrator had applied for a permit modification and it was granted by DEP on 1-29-14. Then they requested another modification. The permit is to burn additional materials. Railroad ties, health and beauty products and pharmaceuticals. Jim stated that the local board of health was not involved in this process. Jim stated that there is a 21 day appeal process and the board may want to exercise that. The board should be involved as a courtesy.

Ron mentioned that the Millbury Board of Health, The Lions Club and Millbury Health Care will be hosting a Health Fair at Millbury Health Care on Saturday, 5-31-2014. This is open to the public. A sight mobile will be available and they have teamed up with UMASS. He wanted to open this up to the Worcester Coalition to be involved in this event. Derek said that he may be able to provide a nurse, the Veggie Mobile and a Mobile Safety Street bus that has been modified for seniors to learn how to use grab bars and warn against trip hazards. Ron stated he would be using the nurses from the Millbury Health Care.

Old Business:

Ron stated that the next court date is April 9th and Julie V. will attend. Ron will join her if his schedule allows.

All Business Not Reasonably Anticipated To Be Discussed:

A motion to adjourn was made by Ron Marlborough at 7:10 PM, Seconded by Jim Morin.
Vote unanimous.

James M. Morin: _____

Armand O. White: _____

Ronald J. Marlborough: _____