

## MINUTES

### STURBRIDGE BOARD OF HEALTH

January 9, 2013

Members present, Linda Cocalis, Daniel Chaput, and John Degnan. Health Agent, Alyssa Rusiecki.

John Degnan makes a motion to accept the revised minutes from November 19, 2012. Approved (3 – 0).

Daniel Chaput makes a motion to accept the minutes from December 17, 2012. Approved (2-0-1), John Degnan abstains because he was not present at the December 17<sup>th</sup> meeting.

**Agent's Report:** The Agent reports on recent routine inspections and reviews. Items of note include: 1). There is supposedly a new Thai restaurant going in the old Subway location at 505 Main Street, Fiskdale. The Agent has notified the Planning Board (PB) and the Zoning Board of Appeals, (ZBA) but the Board of Health office has not received the required new food application and kitchen layout; there should be no work occurring without this paperwork submitted the Board of Health 30 days in advance and further permit application(s) submitted to the Building Department. There is also concern about the need for an outside grease trap at this location.

Daniel Chaput asks about the status of the Village Motel inspection, the Agent states that we are awaiting action from the Building Inspector's office, since the violation is pursuant to Building Code issues, and not the Health Code. The Board of Health has been waiting since October 1<sup>st</sup>, 2012 for a resolution from the Building Inspector, who visits Town once a week. Ms. Cocalis asks if they got building permit. The Agent thinks that they did, but she will double-check. The issue is with obtaining documentation from the Building Inspector.

**Personnel vacation time:** The Agent asks the Board to speak to the Town Administrator, (TA) about the vacation time that is owed employee Vincent Southall at the Recycling Center. Mr. Degnan states that he emailed the TA about this issue and never heard back. The Agent feels that Board involvement would be best so that Mr. Southall is credited properly for past time.

**Request from the Public:** The Board received, in a message relayed by the Town Administrator to the Health Agent, a request to comment on a December 31, 2012 article in the Worcester Gazette. The article stated that "Patricia A. McCleary of Sturbridge said state epidemiologist Dr. Al DeMaria and state veterinarian Dr. Catherine Brown are not endorsing the findings of the Massachusetts Lyme Disease Commission's report". The Board of Health discussed the formation and makeup of the Commission. The Board of Health recognizes that the state epidemiologist is well-respected for his expertise in infectious disease by the medical community in Massachusetts and nationwide and that he adheres to evidence based medicine and sound decision making. The Board saw no reason to take action on the request for comment.

**Annual Permit Renewals:** The Agent states that the office is having the usual problems with annual permitting and the habitual procrastinators. The Board instructs the Agent to send a letter to the late applicants and tell them that their fee shall double on February 15<sup>th</sup>, if not received and that they are operating without a valid permit. Additionally, there are businesses that have completed the Board of Health paperwork, but that we have been told by the Tax Collector's office not to give out the permits because they have not paid their taxes to the Town. This brings up the re-occurring question of why the Tax Department

is not sending letters to the business owners and why the Board of Health part-time administrative staff should take on this added responsibility. The Board members shall contact the TA and ask him if they want the Board of Health to close the businesses. The Board decides to continue past practice and hold the permit. This means that businesses are operating without valid permits.

**Old Business: (Hyland Orchards/Pioneer Brewing):** There are still outstanding water and sewer issues at the Hyland Orchard property, where Pioneer Brewing is located. The water issues are under the jurisdiction of DEP and the failing septic issues are under our Board of Health. Ms. Cocalis states that the owners have approached the DPW Director to discuss a sewer connection tie-in because they feel that a septic system shall be too costly, even though no septic plan has been proposed or submitted to the Board of Health for comment or review.

Mr. Chaput states that according to the representatives of Hyland who attended the Board of Health meeting on December 3<sup>rd</sup>, the father needs to be included in the discussion. The Board agrees that deadlines must be set and now is the time to set the deadlines because the annual permits are up for renewal. Ms. Cocalis states that she agreed to set up a meeting with DEP but that shall not impact the fact that the Board of Health will mandate deadlines for action at this property. The Agent is instructed to send the applications to both Hyland and Pioneer with a letter of conditions to be sent as well. The fee for potential limited use at the outside Hyland bar shall be \$100. No inside food preparation or use shall be allowed for either party. The conditions shall be as follows: 1). Appropriate water tests shall be submitted to the appropriate Department, meaning if DEP certifies the well as a PWS, then the requirements shall be met for a public water supply; if DEP does not certify the well as a PWS, then the requirements for water testing for a food establishment shall be followed set forth by DPH; and 2). Either Title 5 upgrade septic plans or engineering plans showing a potential tie-in to the sewer shall be submitted to the Board of Health for review. The last date to submit all of these documents shall be February 28, 2013. The letter shall state also, that if these items are not completed and submitted by February 28<sup>th</sup>, then, the Board of Health shall vote to close the businesses at this property at their first meeting in March for non-compliance of adequate water and sewage systems at a food establishment.

**Beach testing policy:** The Board reviews the potential fees. The fees are \$50 for the permit and \$50 per week per test. Failing repeat tests are \$50. Fines for non-compliance are \$50, \$100, and closure within the same season, respectively. Those choosing self-testing shall sign a release of liability to the Town and Board of Health and there shall be no fee to have the first sample witnessed for compliance and efficacy, if the operators choose to self-test. Mr. Degan makes a motion to accept the fees and policy as discussed above, approved (3 – 0).

**New Business:** Discussion of the increased incidence of influenza. It is an issue in Boston. The Sturbridge numbers are up slightly. We can re-notify Maxim to ask for a workforce vaccination if it is needed.

**Old Business:** Senator Brewer's office called Ms. Cocalis to discuss the questions she posed regarding the Southbridge Landfill on behalf of the Board of Health; DEP also contacted her and she will attend a discussion meeting at the DEP CERO office.

The next meeting is February 28, 2013. Adjourned 9:30pm

Respectfully submitted,

Alyssa Rusiecki, Health Agent

