

MINUTES
BOARD OF HEALTH MEETING
February 6, 2014 6pm

The February 3rd meeting has been postponed until this evening due to a snowstorm.
Those present: Linda Cocalis, Chairman, Daniel Chaput and Richard Volpe – Board Members.
Health Agent Alyssa Rusiecki.

Agent's Report

Food – 413 Main St. “Jimmy D’s”, plan submission is still incomplete. In regard to the TED dessert function at the Public House, Ms. Cocalis notified Ms. Rusiecki but short notice resulted in some scrambling for completed applications. Ms. Cocalis added that the event provided only desserts and that most of the vendors were already permitted local establishments. She stated that next year any outside vendors would be required to submit applications in a timely manner. Mr. Chaput asked how this correction could be accomplished and Ms. Cocalis answered that TED would provide names of all vendors to be in attendance. At this year’s event the outside vendors were asked to provide a permit granted to them by their own local Health authorities.

Foodborne illness potential – Ms. Rusiecki stated that she had received an email from folks who had been counseled by their physician that they might be suffering from a foodborne illness. Kate Pollender, RN did an interview with the complainants. The results of the lab tests show that this illness was NOT foodborne and thus no report was necessary.

212 Main St. – This address is a vacant building owned by Barbara Monopoli (formerly ZZZ Sleep Lab). Ms. Monopoli wishes to set up and adult daycare at this location. Ms. Rusiecki discussed with her what type of food service would occur there. The plan was, according to Ms. Monopoli, to bring in deli take out for clients. It was then learned that this property is not zoned for an establishment such as adult daycare so the project is not going forward.

506 Main St. – The rebuild of Cumberland Farms. Ms. Rusiecki stated that she receives about 6 emails daily from those involved with the project. They all ask for information on possible opening dates. Ms. Rusiecki managed to incorporate her response to one email to all concerned stating that two pre-opening inspections would be required, according to State and Federal Codes. As of this date no one has called to arrange such inspections. Mr. Chaput and Mr. Volpe inquired if the identity of a single individual in charge had been ascertained. Ms. Rusiecki said that all correspondents are key players, with no individual person standing out as “in charge”. Thomas Ferrone is Project Manager, Bob Meo, is the store manager and Laura Salvucci is the corporate administrator for permits in addition to Mike Barnett who is from the General Contractor, DF Pray.

A complaint was received from a housing unit about temperature/drafts. Ms. Rusiecki visited the premises, finding the temperature at 85 degrees, the complaint having been that the premises were too cold. She said that there were other issues with the complainant that prompted her not to identify the unit or individual. She will be referring this to the Outreach Program at the Senior Center.

181 Shepard – Ms. Rusiecki has created a draft of a letter to the DEP in regard to the complaint about the Title 5 inspector. Copies of this draft were passed to the Board members. Ms. Cocalis noted that the letter states that a formal complaint was being lodged. Ms. Cocalis signed the original.

Hyland's Orchard – 195-199 Arnold Rd. Ms. Rusiecki stated that the contractor, Mr. Kaitbinski, still has not submitted the sand and sieve test results or pre-construction plans or schedule. She also stated that a revisit has not taken place to 20 Finlay Road as yet to determine if the large hole remains.

Interdepartmental Reviews:

400 Haynes St. (Pilot) curbing update is not applicable.

All Title 5 inspections passed (21 South Road, 49 McGilpin Rd, 2 McCormack Road, 84 Stallion Hill Road and 104 South Shore Road) with the exception of 87 Allen Road, which did fail. When asked by Mr. Chaput for the reason for failure, Ms. Rusiecki stated that private inspectors report pass or fail only. She added that the most common reasons for failure are overloaded soil absorption systems, backflow to components, or finding ground water. We can retrieve the report from the office for further details, if the Board wishes to wait. Mr. Chaput states that it is not necessary.

54 Bentwood Drive – a complaint was received regarding on-going septic odors. Ms. Rusiecki said that a d-box was replaced recently but with the accumulation of snow it would be impossible to do an inspection at this time. The Board members were told that this address is a condominium. Septic systems serve two units and six units are served by the soil absorption system. To follow-up, Ms. Rusiecki will call the installer and schedule the inspection of the d-box in better weather.

22 Lakeshore Drive – Jeff Helgersen, installer, finally came into the office to sign paperwork. The package is now complete and will be sent to the owners.

136-138 Podunk – Ms. Rusiecki stated that hard decisions have to be made in this issue, regarding the failing Tight Tanks. She plans to send a letter stating that the property will be condemned in the absence of the required submission of plans as requested. Ms. Cocalis suggested contacting the designer for help. Ms. Rusiecki stated that the designer has been contacted. He has submitted only drafts as of this date because he has not been paid for his services nor have checks been received for any of the draft submittals at the Board of Health office.

Because of a scheduling conflict, Ms. Rusiecki will not be attending the Region 2 meeting this month.

Town Recycling – Ms. Rusiecki sent emails to the Board containing information sent previously to the Town Administrator regarding collection of the Town Recycling. Ms. Cocalis said that she had spoken to John Booth and was told that a dumpster could be obtained for \$100 per month for recycle materials. Ms. Rusiecki stated that no dumpster would ever be in use at 301 Main Street because of the narrow driveway. She added that Mr. Booth does not seem to mind picking up the recycled material. No significant profit comes from Town recycling, Ms. Cocalis added, as was once the case with cardboard. Mr. Chaput stated that this issue is for the Town to decide, not the BoH. He then made a motion to remand the matter to the Town Administrator and move on from this topic, APPROVED (3-0).

Ms. Rusiecki detailed her schedule as follows: The January 22 workshop she was to attend was postponed to March 12th because of inclement weather. She would like to attend the DEP workshop on February 26th. In answer to Ms. Cocalis' inquiry, she explained that it is the DEP annual update. There are two Career Track workshops recommended by the Town Administrator that she would like to attend as well. The dates for these are the end of February and one in April.

Backfill Inspector – There are six applicants. Ms. Rusiecki suggests that the 4 most qualified attend the next Board meeting. Kate Pollender and Ron Woolhouse are available in the interim period before a suitable candidate is hired.

FY15 Budget – Ms. Rusiecki stated that she had spoken to Barbara Barry about \$200 needed for a tarp at the Recycling Center. Last year's budget spent \$1800 on tarps and fencing. She also stated that a change be put through for additional funding for the inspector's mileage, an additional \$500, and for inspector's training another \$250.00 is required.

Annual Report - Copies of the annual report were distributed to Board members. Ms. Rusiecki stated that changes are stipulated, awards to the Town for its recycling efforts have been mentioned and thanks were extended to several employees for their years of service. A motion was made by Mr. Chaput to accept the annual report with changes (numbers marked on report). Mr. Volpe seconded the motion. APPROVED (3-0).

Old Business

31 South Shore Drive - Ms. Cocalis stated that no changes have transpired. She said that the Conservation Commission has announced its readiness to move forward with legal action once the Feb. 20/21 date has been passed. Then the matter will go to the Town Council for discussion.

New Business

The Attorney General's office sent a piece of correspondence to a resident, copying the BoH, stating that they had reviewed Mr. Mark Vincent's complaint and found that it does not fall under their jurisdiction. Ms. Rusiecki, who brought this letter to the Board's attention does not have further information on this resident or his complaint. The letter will be kept on file for future reference. Mr. Chaput suggested contacting the Attorney General's office to learn why the BoH was referenced and notified.

Ms. Rusiecki stated that after the last Town Meeting, Mr. John Booth's salary has risen from \$24 per hour to \$28 per hour. His annual salary now exceeds \$58,000.00

There is one Hazmat rolloff repair estimates for (\$993); this shall be held in abeyance until others are received. Other collection fees have risen by 6%. The budget must be adjusted to include this increase, per the Chair.

Minutes

Ms. Rusiecki provided copies of the March 18th 2013 minutes to the Board. They were then presented with minutes for December 16th 2013. One correction had to be noted. A motion was said to be made by Ms. Cocalis, who actually was not voting. Mr. Chaput had, in fact made the motion. Mr. Chaput asked about restaurant inspection of grease traps mentioned in this set of minutes. He asked if there is a log of daily inspections that can be inspected and noted in the report. Ms. Rusiecki stated that onsite inspection of grease trap cleaning is not easily achieved. They are usually done at night. Mr. Chaput made a motion to accept the minutes from March 18th 2013, December 2nd 2013 and January 23rd 2014 as revised. Mr. Volpe seconded the motion. APPROVED (3-0).

Concerns of the Members

Ms. Cocalis stated that the new employee, David Texiera, at the recycling center is doing really well per John Booth.

Ms. Cocalis stated in regard to comp time, that the Town Administrator has explained that large amounts of comp time due at the end of a year can present a sizeable liability in regard to budgeting. He has set a maximum amount of 35 hours comp time per year per employee. Comp time, Ms. Cocalis explained, is defined as compensation for work performed over and above the normal framework of duty. If the Health Agent is called out late at night because of a restaurant fire that time would be considered a good example of comp time. Mr. Chaput asked if an employee normally works 35 hours and has a three hour meeting to attend during the week, would that employee work three hours less in regular hours to accommodate the meeting time? Ms. Cocalis' answer was a negative. She stated that the employee would work 38 hours that week, the meeting being considered a normal part of the job. Ms. Rusiecki disagreed, stating that this was not the agreement made when she was hired. She added that she always was allowed to accrue the time for attendance at meetings and she always obtained specific permission to do so by the BoH. Ms. Cocalis stated that though this may have been allowed in 2009, the allowance could be changed the next year to disallow accrual of time for meeting attendance. The employee manual, she said, stated that conditions can be changed at any time. Ms. Rusiecki stated that as of the current date, no change has formally taken place. Ms. Cocalis and Mr. Volpe both said that the change would soon be announced by the Town Administrator. Ms. Cocalis then added that though the Town sets the rules, the BoH itself can affect its own parameters. She added that exempt employees, in her opinion, simply work 38 hours rather than the 35 standard hours in a week containing a meeting. Mr. Chaput expressed his desire for standardized rules in regard to comp time and all personnel issues. The last official statement from the Town Administrator in 2009, Ms. Cocalis stated, did require that those desiring to use comp time, obtain permission from their immediate supervisors. The Board would be required to approve Ms. Rusiecki's requests in this case. She added that at the time of Ms. Rusiecki's hiring there was increased flexibility due to her necessary personal responsibilities. Mr. Chaput made a motion to defer to currently published Town policy in regard to flex and comp time. Mr. Volpe seconded the motion. All members agreed that an official order must be published to change the current status, emails and statements not being sufficient. Ms. Cocalis added her desire for sufficient notice by employees for comp time usage, just as would be required for vacation time. Mr. Volpe and Mr. Chaput said that a definition of "sufficient time" must be provided. Ms. Cocalis allowed that the current definition is ambiguous. Mr. Volpe again stated that it is, indeed, the responsibility of the Town Administrator to make these issues clear. The discussion continued about the 35 hour maximum comp time and whether it was total for the year or what could remain at the end of a year. All agreed that this issue, too, be clarified by the Town Administrator. When the vote was about to take place Ms. Cocalis stressed the need for including mention of "sufficient notice". Mr. Chaput urged that a specific amount of time be determined and all agreed to 48 hours as being appropriate. The motion has now been changed simply to provide 48 hours' notice before using comp time. The motion was APPROVED (3-0).

Ms. Rusiecki said that she wished to put into the record that she currently only has 15.25 comp hours. She feels that she has been correctly following her interpretation of the requirements in this regard, not amassing or accruing hours, etc. She stated that she often works through lunch and is, in essence, a dedicated employee. She also said that she wished to apologize to Ms. Cocalis in regard to discussions about the Public Health Inspector. She did not wish to appear critical or to show any disrespect to the Chair.

Board members received Excel spreadsheets with scoring on candidates for Health Inspector. Ms. Cocalis stated that the top two candidates were Engle Torres and Kevin Christo (both scored 93). Peter Cutting scored 97 and Christine a 93. Mr. Chaput noted that all candidates were “A grade” with scores minimally divergent. Mr. Volpe said that he feels sure now that Mr. Christo’s experience made him the most desirable candidate but feels that Ms. Torres’ resume be kept on file. Ms. Cocalis said that she had initially thought that the 2nd place candidate (Ms. Torres) might fill in as alternative inspector for special events. Ms. Rusiecki had told her that there are already alternates of quality (Ron Woolhouse and Kate Pollender, and others from a separate advertisement) available when need for backup arises. Ms. Cocalis asked Mr. Chaput’s opinion on using the 2nd place candidate fill in as alternate. His response noted concern for the need to train these individuals. He also reiterated his preference for Engle Torres noting her concern for public health and her community health degree, which, in his opinion, denote a person truly committed to public health issues. For these reasons, Mr. Chaput stated that he feels that Ms. Torres would be a valuable addition to the Board of Health Staff. Mr. Chaput also said that having Ms. Torres’ public health degree and Ms. Pollender’s qualifications as a registered nurse are valuable assets which will help to create a very well-rounded team. He added that in hiring Ms. Torres’ it would be a step toward the day when the staff can be expanded and having her as an employee would leave the team very well positioned. He stated that the BoH staff would include Ms. Rusiecki with her MS degree, and he mentioned that she is also a registered sanitarian, Ms. Pollender has her R.N. and MPH along with Ms. Torres with her qualifications. Mr. Chaput said that this group would assuredly present the proper qualifications and background.

Mr. Volpe stated that his most important criterion was experience and that Ms. Torres was “green”. He does desire that her resume be kept on file, however. He inquired about her current status at her job with Applebee’s and Ms. Rusiecki advised that she is a part time employee there. Ms. Cocalis stated that her preference remains Kevin Christo. She said that she knows that he does not possess a public health degree but does have lengthy experience. She said that Ms. Torres has the degree and no experience. Ms. Rusiecki asked what Mr. Christo’s public health experience entailed and was told by Ms. Cocalis that he is ServeSafe qualified and has worked in restaurants for 30 years. Mr. Chaput again stated that as a Board member, Engle Torres would fulfill his vision for filling the inspector’s position in the most desirable manner. He said that he could definitely “live with” any of the candidates provided they received proper training. Ms. Cocalis again stated that she is happy that the chosen candidate has sufficient experience and that she really wished that both he and Ms. Torres’ could have both been hired. Mr. Volpe agreed that he wished the same thing. He asked who the actual backup team was and was told by Ms. Rusiecki that Ron Woolhouse and Kate Pollender were backup for food and pools for evenings and weekends. The backup for Temporary Food Events/Weekends was the position being considered anew for backup.

Ms. Cocalis reviewed Kevin Christo’s qualifications noting 35 years in the restaurant business and 12 years in the TIPS (Training for Intervention Procedures) in the bartending business. Ms. Cocalis reiterated her preference for Kevin Christo over Engle Torres and Mr. Volpe agreed based on the possibility that he felt that Ms. Torres would more than likely leave the position after a short time. Both agreed that there is a 6 month probationary period in which to evaluate the person hired. Mr. Volpe made the motion to offer the position of Public Health Inspector to Kevin Christo. Ms. Cocalis seconded the motion. Mr. Chaput stated that his interest is in building a BoH office that fits his vision for what that entity could be. APPROVED (2-1).

A discussion ensued about the BoH being the direct employer of the health inspectors. Ms. Cocalis stated that these employees are not Town employees but solely BoH workers and sub-contractors. Mr. Chaput and Mr. Volpe discussed the issue of raises and the approval process which must come from the Town Administrator. They both stated that it would be beneficial to have the funds forwarded to the BoH and to have the Board make the ultimate judgment regarding specific instances where a raise would be desired and appropriate for a particular employee. Given this confusion, Mr. Chaput will follow-up with the Town Administrator.

The motion was made by Ms. Cocalis to conclude the meeting, seconded by Mr. Volpe. APPROVED (3-0).

Adjourned 7:50PM.

Respectfully submitted,
Alyssa Rusiecki,
Health Agent

