

MINUTES

BOARD OF HEALTH MEETING

JUNE 16, 2014

Members present: Linda Cocalis, Richard Volpe, Holland Board of Health, Health Agent Alyssa Rusiecki, Norma Buckley, Clerk.

Linda Cocalis opened the meeting at 5:05 p.m.

The minutes of the May 28, 2014 and June 2, 2014 meeting were read. Linda made a motion to accept the minutes of both meetings with minor changes. Richard Volpe, 2nd the motion. APPROVED (2-0)

AGENTS REPORT

◆FOOD: STOP & SHOP

Pea Pod Dock: Pick up only. All products get packed in the distribution center in Agawam, MA. The products get put into Styrofoam inserts and then inserted in a plastic crate with a manifest and get shipped to stores. According to the applicant, food products can sit for 22 hours with gel packs for cold items or dry ice for frozen products. The store policy is to check ten percent of the packages to see if the temperature has held. The temperatures are checked with an infrared gun which only obtains the outside temperature, not the required internal temperature of the product. The crates are held in an unrefrigerated pick-up area. The State DPH felt that Stop & Shop's policy met the intent of the code, but the Agent is concerned that the food temperatures may be compromised on very hot days. The permit will be issued, but it was suggested doing a spot inspection on a hot day to check the temperatures with our methodology.

RECREATION FIELD

◆Additional Concession Stand Recreation field behind DPW, New Boston Rd Ext.

Ed Galonek is donating the funds to build an announcer's stand on the existing dugout. He now says that it is going to be storage and not a concession stand. The plumbing inspector said he was going to ask the State Plumbing Board about whether the bathrooms are required at the field. There were questions about holding up the building permit until the questions about the bathrooms are settled. Linda asked if the concession stand expansion would be triggered by the bathrooms. The Agent stated that the decision would be determined by the State Plumbing Code. At a later date they

may possibly like to sell chips and soda. Alyssa said they could request a retail food permit at that time.

HOTELS/NUISANCES

◆HAMILTON INN

The Board of Health was called by the Police last week to go and check out the Hamilton Inn because according to the officer one of the rooms did not have any water or bathroom facilities. The Agent and Inspector went to investigate the complaint. Several paper towels had been put in the toilet bowl and the sink. They are doing dishes in the bathroom sink and the sink will not drain with the food waste. The rooms have microwaves, ovens, refrigerators in them and food all over the room. That room is in the process of being evicted and the tenants are causing damage to the property. One of the occupants was not on the lease so the police were called to remove him. The owners will be asked to come to the next meeting for a hearing if problems continue. Linda suggested that the Police Dept. come as they have been there several times and see if they have a suggestion for this problem.

◆GREEN ACRES

A concerned citizen called about bedbugs but the staff was not able to re-contact the complaining person. The room in question was inspected and found to be vacant and clean. Another room had been exterminated for bed bugs, mold and mice and the mattress was replaced.

◆POOLS

Phil Legeire, Health Agent for Phillipston, Athol and Royalston will be coming in on Friday, June 20, 2014 to help Dawn with pool inspections. Linda approved Phil Legeire to come in and check the pools with Dawn while the Agent is on vacation. Alyssa will give Dawn a list of pools inspects.

◆HAIR GALLERY – 454 Main St

The Hair Gallery has not set up the tanning beds yet and was supposed to call back on Tuesday but at the end of the day they did not. They were given the regulations relating to operating a tanning salon.

SEPTIC SYSTEMS

◆HYLAND ORCHARDS 195-199 Arnold Rd

Alyssa showed the Board the current plans for the septic system at Hyland Orchards and reviewed the progress to date. They have a new 4,000 and 2,000 gallon tank and a 4,000 gallon pump chamber, which have all been installed. They broke through the old leach line and the Agent told them to re-plumb the old bathroom into the new tank so there would be no raw sewerage running into the open excavation. The first tank and second tank passed the vacuum test. The third pump chamber requires a 24hr hydrostatic test, and cannot be vacuum tested because the hatch cannot be sealed, according to the installer. Following items still need to be installed: Pumps, floats, alarms, control panel, delivery lines, and soil absorption system. Alyssa does not think the job will be completed by her return from vacation on July 2nd.

◆67 WALKER POND RD is good to go for the plans from the University of Rhode Island review. An experienced BSF contractor will come up and mentor the first one to be done with the installer, per vote of the Board of Health.

◆36 OLD VILLAGE RD 33 WOODLAND RD

Needs to have an operation of maintenance contract and system; needs to be maintained as it is a state regulation and reports must be sent to the Board of Health.

◆GEO THERMAL WELLS – 324 The Trail

CT. Valley Well Drilling is requesting a permit for a geothermal well to be installed at 324 The Trail. However, the applicant has refused to submit a certified engineered plan as required by local regulation. Linda questioned the proximity to another well and what would be permitted. Some sort of plan should be file with the BoH so if a neighbor wants to put something in he has access to it. It should be done by engineer. A Geothermal system only heats the water and takes the energy from it and the water is recycled to heat the house; it is a closed loop system. The BoH decided because it is a closed system, the engineered plan could be submitted on an As-Built basis.

Emergency Management

There will be a tabletop meeting at the Police station on Tuesday June 17, 2014. Linda will take Alyssa's place at the meeting as Alyssa is tying up loose ends before vacation.

OLD BUSINESS

◆Linda questioned Dawn on how many times a month she wants to report to the Board and it was decided that she will keep the board in touch at each meeting.

◆Dawn wants to check out the grants that are available to the BoH and more public health issues. New software will be looked into after Alyssa is back from vacation. Dawn wants to get used to the paperwork and possibly change some of it. Linda suggested going into Boston's Restaurant Inspections and check it out. It has all the information needed from previous to present inspections. All inspections should be recorded starting July 1, 2014 with the time spent on each project.

ADMINISTRATION

◆The Agent is finishing up small grants for the end of the Fiscal Year on June 30th; the clothing grant for MRC can be left open. Linda will check with Lynne on what is needed to complete these grants.

Linda asked everyone to track all their time on both clerical and administrative issues. This log will be used to request additional funding for the BoH. The Chair states that emergency situations should be coming out of the Revolving Account and those hours that are spent for the emergency should be given back in Dawns regular hours.

LETTERS OF INTEREST

◆Sandra Fallon and John Degnan are interested in the open seat on the Board of Health. There will be a joint vote of the BoH and BoS at a future meeting.

NEW BUSINESS – 24 BREAKNECK RD

◆Nina Dumont, owner Precious Jewels Daycare, 24 Breakneck Rd., - Building Permit expansion on a septic system.

The Agent explained that this project review was precipitated by a Building Permit application for the "removal of a basement wall" which met the definition of bedroom and is being used as a "licensed residential daycare." According to the Chair, Nina has been licensed by the state for two and half years as a residential daycare. After discussing the matter with DEP (CERO office) and the Chair, the Agent explained that the project is really on a dual track of review for both Expansions under the Increase to Flow criteria, and under Change of Use for the daycare use. The Agent explained that the procedure would be to upgrade the septic system under New Construction and this was confirmed by DEP. The Chairman said that we could be sued because we are not

reviewing other Day Cares and that the action could be seen as “arbitrary and capricious.” The Agent stated that this particular Day Care review was triggered by the Building Permit, and the fact that it is on a septic system and that the Board of Health wouldn’t be precluded from evaluating other Day Cares. Rich asks if the DEP could put the decision in writing. The Agent states that she wasn’t sure if the information could be put in writing, but that the information is in Title 5. The Chairman states that it is a grey area for change of use and she doesn’t believe residential daycare meets the criteria; therefore, the Chairman states that this project is exempt from those Title 5 regulations. Therefore, the Agent agrees with DEP and recommends that the system be upgraded under Title 5 new construction standards. The Board does not accept the Agent’s recommendation. The Chair asks if Ms. Dumont ever got her water tested, and she states that she does annually. The Chair states that Ms. Dumont should provide a copy of her water test and get her septic tank pumped out and provide a copy of the paperwork to the Board of Health within 30 days. The Agent asks for which parameter of water testing is the Board requiring. The Chairman states “bacteria.” Linda Cocalis makes a motion to not require any of the aforementioned details in the Agent’s letter to Ms. Dumont and that a septic tank pump out report and water test is required to be submitted within 30 days to the Board of Health; seconded Rich Volpe, APPROVED (2 – 0). The Agent states that she will not be able to sign the Building Permit, but that the Chairman may be available to do so. The Chairman agrees.

Linda made a motion to close the meeting at 7:10 pm. Rich Volpe 2nd the motion.

APPROVED (2-0)

Submitted: Norma Buckley

Edited per Board of Health members, 8/4/2014 meeting

Reviewed: _8/4/2014_____

Approved: _(2 – 0 – 1) _____

(LC, RV, Sandra Fallon abstains)