

The meeting was called to order at 7:01 p.m., by Chairman, Richard Desjardins. Also in attendance were; Member, Al Holman; Member, Richard Robinson; and Asst. Public Health Supervisor, Diane Tiernan.

Motion One – Al made a motion to approve of the minutes from the previous meeting dated 3/12/14. Richard R. seconded the motion and Richard D. made the motion unanimous. Minutes were approved.

Vouchers were reviewed and signed.

Board discussed the property at 12 Milford Street. James Maloney wishes to purchase the building and change it from a residential property to a hair salon. The Planning Board wanted to know if the BOH had any concerns with Mr. Maloney making this change. Board stated they are okay with it, but we first need to make sure the septic system will comply with the new usage. Diane stated she would speak to our title 5 agent, Lenny Izzo to see what needed to be done before we could issue our approval.

Diane stated she received a copy of the employee compensation study through another town employee. As the Board members did not receive the information, Diane will send the members copies as well.

Board reviewed a request for a garbage and offal permit for J.C. Parmenter, of Hopkinton; and an installer's permit for Nichols Enterprise of Charlton and Boulanger and Sons of Mendon.

Motion two – Al made a motion to approve of the permits for J.C. Parmenter, Nichols Enterprise, and Boulanger and Sons. Richard R. seconded the motion and Richard D. made the motion unanimous.

Board discussed the food permit for Ideal Pizza. Diane stated that the present owner/manager, Sam Nahr has complied with everything that the food inspector has requested and the monthly inspections have shown he is in compliance. Although he has not taken apart the grease trap, it appears to be functioning properly and the water and sewer dept. has had no issues in that area.

Motion three – Al made a motion to approve of a one year food permit for Ideal Pizza, and Richard R. seconded the motion. Richard D. made the motion unanimous. Food permit was granted.

7:26 p.m. Robert Groth of 109 Glen Avenue arrived to discuss the pellet operation at the rail yard. Robert thanked the Board for their participation with the noise mitigation so far. He feels though, that there's more to be done. The rail road previously proposed building a warehouse for the pellet bags which would help with the noise. The pump has been enclosed but has no roof. Richard R. stated the BOH cannot exercise any power to force them to build a warehouse. Robert stated he understands that but feels we could encourage them to build it or at least give us a plan for the future. Richard R. asked Robert if he had approached the rail road himself on the subject. Robert stated he had, back in May of last year they said they were planning to build the warehouse. Now they are saying maybe they will maybe they won't. The BOH has more power than he does. Richard R. stated we cannot make them do something they aren't required to do. Robert stated the pellet plant has plans to run 24 hours per day, when they run in the evening the ambient will drop and the noise will be worse. He feels the BOH should make them build the warehouse before they can expand their hours. Board stated if the plant is not in violation, we cannot order them to do anything. If we find the levels are over, we will address it. Until then we will continue to monitor.

7:30 p.m. Robert thanked the Board and left.

7:39 Trish Parent, Town Nurse arrived. Trish discussed the most recent "*Emergency Amendments to Drug Control Program and First Responder (FR) Training Regulations for FR Use of Naloxone (Narcan)*" issued by Gov. Patrick. The state will be putting out some money to help deal with the public health crisis as well. She will keep the Board up to date with any new changes and will have more discussions with the Police Chief.

Trish also requested the Boards permission to purchase a drug kiosk for the drug take back program. This program offers assistance to properly dispose of old prescription drugs instead of storing them and perhaps be misused. Trish stated the cost of the unit is \$675.00, which we can pay for from the insurance reimbursements we received for flu vaccines. She has already spoken to Chief Bradley about the unit, who has agreed to install it at the Police station.

Motion four - Richard R. made a motion to purchase the kiosk. Al seconded the motion and Richard D. made the motion unanimous. Kiosk was approved for purchase.

Trish stated she also attended the Substance Abuse Community Forum at Nipmuc High School. The School did a wonderful job with the forum, but they would like to form a committee to address the problem locally, unfortunately, they don't want to take the lead. Al stated the committee sounds like a good idea, but let's talk some more before moving forward. Richard R. stated he's only seen those types of committees work when there is a sponsor. Trish said she could develop a couple of articles to address it.

7:48 P.m. Sam Nahr arrived. Richard D. explained to Sam that the Board approved of his food permit for one year. Sam thanked the Board and left at 7:50 p.m.

7:55 p.m. ACO, Cori Oehley arrived. Cori gave the Board an updated log of her calls. She stated she has had a large increase in activity recently. Lots of wildlife and dogs are out and about. Cori discussed her most recent call regarding a rabid bobcat that had gotten into a barn off of Grove Street. The call took up a tremendous amount of time, but the bobcat was prepared and shipped to the lab by 10:00 a.m., the next morning. Cori advised the family to consult a physician and for the horse to get vet care, especially since the horse was late with its rabies vaccine. She had several calls with the state on how to handle the barn and the quarantine. The Dept. of Agriculture stated the entire farm must be quarantined for six months, and the owners must be the sole caregivers.

Cori stated that she had a call from Jennifer Doyle of Upton Daily who wanted information on the bobcat and she referred her to Richard D. Jennifer then called Rosario, the vet, who gave out personnel information. Cori was concerned that Rosario did so, especially with HIPAA regulations. Al stated he would speak to the vet and let her know that she should not be giving out personnel information in the future. Richard D. stated he has received several calls from concerned citizens regarding the bobcat. They all feel we should be releasing more information on the matter. Cori stated it is unfortunate that more residents didn't attend the wildlife

program she had at the VFW recently. Board stated we could ask the cable committee to run the program again on the Upton channel, since it was taped. Diane stated that she and Cori would put together some more rabies information for the website and the town crier. Board also stated we could have the speaker from the Mass. Div. of Fisheries and Wildlife give a presentation to school age children. Cori stated she would speak to the woman and see if she could come out a second time.

Cori stated she has had to use the barn at the Margaret Stanton's for a stray dog recently and it worked out great. She would get together with Diane regarding the billing.

Diane stated the Dept. of Agriculture requires the BOH to appoint an Animal Inspector by 4/1 of every year. Although we are unsure of the future of our ACO, we must appoint an inspector or we will be in violation.

Motion five - Al made a motion to appoint Cori Oehley as Animal Inspector/ACO. Richard R. seconded the motion and Richard D. made the motion unanimous. Cori was appointed.

Cori stated she was wondering if the Board had made any decision on the ACO position. Have we made any inquiries to the Police Dept., to see what the need is? Richard D. stated he and Richard R. attended a Personnel Board meeting and they will let us know what their decision is with the position. Until we get that information we will not decide. Al stated as it stands right now, we have made no changes to the budget.

Al stated we need to request two cell phones from the town. One for Diane and one for Cori. Diane stated she would contact Blythe. Cori stated that would be really helpful.

8:37 p.m. Cori left.

Board discussed the draft of the budget for the upcoming annual meeting. Diane stated the budget to be submitted for approval reflects a 10,000 cut to the ACO position. This figure will be submitted unless Blythe is notified differently. Al stated that figure was not voted on at a BOH meeting. If we're going to change the figure, a motion needs to be made. The decision to change it should not have been done outside of our meetings. Board discussed turning over the position to the Selectmen. Al stated that could present a problem when doing barn inspections. The Selectmen do not have the authority to enforce the ACO, only the BOH does. The Board is unsure at this time if the position can be transferred.

Richard D. stated he choose as chairman to go along with the recommendations of the town fathers, Personnel Board and the Fin. Com. The salary for the ACO was way out of whack. Al stated he does not agree. Once the position has been changed the quality of service will as well, but he has to support what the rest of the Board wants.

Motion six – Richard Robinson made a motion to accept the proposed salary of \$20,838.00 for the Animal Control budget, endorsed by the Personnel Board. Richard D. seconded the motion for discussion purposes. Al stated he was opposed to the decision. Richard R. stated we can review the position again once we have a better idea of what the services are. The ACO shouldn't get \$20/hr. to find a stray cat or dog.

Motion seven - Richard D. asks for a vote on reducing the ACO salary. Richard R. –Aye, Al – Nay and Richard D. - Aye. Motion approved to reduce the salary. Richard D. stated no changes will go into effect until July 1, 2014.

A septic repair design was reviewed for 67 Ridge Road, Joshua Paulson.

Motion eight – Al made a motion to approve of the permit and Richard R. seconded the motion. Richard D. made the motion unanimous. Permit was approved.

Diane stated she needs to move forward in preparing the office for the move to the new town hall in September. She suggested disposing of all the subdivision plans that are stacked in the office. The Planning Board will keep a record of all the originals, and she will have a copy of each individual septic design for the lots. Richard D. did not feel we could dispose of the plans if we made a motion on any of them. Al and Richard felt it would be okay as long as the plans were available somewhere in town.

Motion nine – Al made a motion to dispose of all the old subdivisions plans in the BOH office. Richard R. seconded the motion. Richard D. opposed the motion. Motion was approved by majority.

Al stated he understands that there are times we need to go to counsel, but would appreciate it if at any time we feel the need to go to counsel, let's all agree that's what we need to do. Whether it's informal or not it should be approved by the BOH. Richard R. stated his discussion with an attorney was not professional, it was just conversation. He has lots of contacts and occasionally he will discuss matters with them. He is not getting a legal binding opinion on something. If we are getting a legal binding opinion then yes, he agrees we need to discuss it first as a board. Richard D. stated we cannot get an attorney's opinion without first getting permission from the Selectmen anyways. Al stated that was correct. Trish stated that the BOH can also make use of the MAHB attorney if it pertains to health issues.

Motion ten– Richard Robinson made a motion to adjourn. Al seconded the motion and Richard D. made it unanimous.

9:00 p.m., the meeting was adjourned.

Respectfully Submitted,

Diane Tiernan, Asst. Public Health Supervisor

Upton Board of Health