



BOARD OF HEALTH

TOWN OF WESTBOROUGH MASSACHUSETTS

FORBES MUNICIPAL BUILDING
45 WEST MAIN STREET, SUITE 25
WESTBOROUGH, MA 01581-1916

TEL. (508) 366-3045
FAX (508) 366-3047

BOARD OF HEALTH MONTHLY MEETING

Tuesday
April 17, 2012
Forbes Municipal Building, Room 24
5:30 p.m.

AGENDA

1. Minutes of Meeting (2/14/2012)
2. Director's Reports (Feb. and March)
3. Sanitarian's Reports (Feb. and March)
4. Health Inspector's Reports (Feb. and March)
5. New Business
 - A. Karyn Johnson – Worcester Regional Tobacco Control Collaborative – 5:45 p.m.
 - B. Jim Pittman – Variance Request – Lifeguards – 6:00 p.m.
6. Director's Issues
7. Adjourn



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Minutes of Board of Health Meeting April 17, 2012

The regular Board of Health meeting was held on Tuesday, April 17, 2012, in room 24 in the Forbes Municipal Building, 45 West Main Street. The meeting was called to order at 5:30 pm. by Chairman Federici. Those present were Members Ehrlich and Walsh, Director McNulty, Sanitarian Baccari. Absent: Inspector Gilchrist. Bills and payroll were signed.

Minutes of a meeting held on February 14, 2012, were approved.

Director's reports (February and March) were discussed and approved.

Sanitarian's reports (February and March) were discussed and approved.

Health Inspector's reports (February and March) were discussed and approved.

NEW BUSINESS

At 5:45 p.m., the Board met with Karyn Johnson of the Worcester Regional Tobacco Control Collaborative.

Ms. Johnson is meeting with all the boards of health that are part of the collaborative to explain the services provided for tobacco enforcement. There are 19 towns in the collaborative. Funding is provided by the Massachusetts Department of Public Health Tobacco Cessation and Prevention Program. The collaborative provides enforcement, policy support, and education.

The collaborative performs retail inspections and youth compliance checks. A compliance check was conducted in Westborough last month and three locations were cited for selling to a minor. A Massachusetts statute prohibits the selling or giving of tobacco products to any person under the age of 18 years. Each location was fined \$100 for the violation.

Ms. Johnson explained a model regulation that the collaborative has put together. It includes everything from increasing the tolling periods to banning the sale of tobacco products in pharmacies. She recommended updating Westborough's tobacco regulations. She also explained the Roll Your Own machines that have become very popular. An individual can make their own cigarettes with this machine; a carton of cigarettes can be made for \$25.00. She urged the Board to ban these machines. She also displayed some of the newer tobacco products that have emerged that are targeted toward minors. She would like to meet with the school's health educators and administrators to educate them on these products and would like the Board's support. Member Ehrlich said he was in favor of that. Chairman Federici and Member Walsh agreed as well.

Jim Pittman – Variance Request – Lifeguards

At 6:15 p.m., the Board met with Mr. Jim Pittman, maintenance supervisor at Fountainhead Apartments and his daughter, Jessica.

Mr. Pittman is requesting a variance to hire a part-time certified lifeguard who is under the age of 16.

Sanitarian Baccari provided some background. According to the State's Swimming Pool Code, the option is given to require lifeguards in public and semi-public pools; the Board of Health has that requirement. The minimum age for lifeguards is 16. Mr. Pittman's daughter completed and passed a lifeguard certification course and Mr. Pittman would like to hire her to work at Fountainhead's pool this summer. Jessica will be 15 ½ in May when the pool will open.

Jessica's lifeguard certification was viewed by the Board members.

Sanitarian Baccari said the pool is always very well maintained and he has never had a problem with it. He is comfortable with granting the variance.

Mr. Pittman said Jessica will work only part-time and will always be supervised by an older, experienced lifeguard. She will never work alone. He will have four full-time lifeguards this summer.

Chairman Federici said that with Jessica's training and proper supervision, she was in favor of granting the variance.

Member Walsh said that with the stipulations in place, he was also in favor of granting the variance. This was a very specific case. He would not like to set a precedent.

Member Ehrlich made a motion to grant the variance to allow Jessica Pittman to work as a lifeguard at Fountainhead Apartments after she turns 15 ½ years of age. Another full-time lifeguard over the age of 16 must also be in attendance. Member Walsh seconded the motion; the vote was unanimous.

DIRECTOR'S ISSUES

When the tenants bought the Wayside Mobile Trailer Park at 165 Turnpike Road four years ago, a Title 5 inspection revealed a failed septic system. Director McNulty issued a five-year waiver on May 6, 2008. The waiver is almost up and nothing has been submitted to the DPW for review. A few bids had been received, but they were too high. No engineer or contractor has been hired. The property owners have gone through four different management companies. Director McNulty talked to the new president of the trailer park cooperative today. The current cooperative board members will meet with the members of the BOH at next month's meeting to discuss the issue.

State law requires the licensing of private stables. The Board of Health issues them annually and the fee which is set by Town meeting is \$15.00. The permit holder of a stable located at 32 Hopkinton Road still has not paid for her 2012 permit. Renewal notices have been mailed twice. Director McNulty has made several phone calls and has left messages on her voice mail. In his last message, Director McNulty said that this problem was going to be discussed with the Board members. There still has been no response from the property owner. This has been an on-going problem with this property owner for several years. Sanitarian Baccari said that if the permit is revoked, the property will probably not qualify for another permit because a portion of the property is in wetlands; it floods frequently during heavy rains. The property was grandfathered when the original permit was issued.

After some discussion, the Board decided to give the property owner a few more days to see if she will pay for the permit. If no payment is received, the Board will take action with the possibility of taking legal measures to have the horses removed from the property.

There being no further business, the meeting adjourned at 7:05 p.m.

The next meeting will be held Tuesday, May 15, 2012.

Respectfully submitted,


Kathleen Smith

Towns: Westborough
From Date: 07-01-2011
To Date: 04-17-2012
Survey Type: Compliance
In: 04-17-2012 04:50:46
By: karyn.johnson

	Establishments	Checks Attempted	Checks Completed	Underage Sales	Sale Percentage
Retailer Types:					
Chain	9	9	9	3	33.33%
Independent	10	11	9	0	0.00%
Retailer Styles:					
Convenience Store	3	4	3	0	0.00%
Gas Mini-Mart	3	3	3	1	33.33%
Gas Station Only	2	2	2	0	0.00%
Grocery Store	1	1	0	0	0.00%
Liquor Store	6	6	6	0	0.00%
Pharmacy/Drug Store	1	1	1	0	0.00%
Supermarket	3	3	3	2	66.67%
Survey Breakdown By Purchaser:					
DMc94(16439476)	1	1	1	0	0.00%
CLO94(14109073)	19	19	17	3	17.65%
Survey Breakdown By Day:					
Thursday	19	19	17	3	17.65%
Wednesday	1	1	1	0	0.00%
Gender of Clerk:					
Male	10	10	10	1	10.00%
Female	8	8	8	2	25.00%
ID Asked:					
ID Not Asked	3	3	3	3	100.00%
ID Asked	15	15	15	0	0.00%
Age of Clerk:					
Teen	1	1	1	1	100.00%
Young Adult	3	3	3	0	0.00%
Adult	12	12	12	2	16.67%
Older Adult	2	2	2	0	0.00%
Total:	19	20	18	3	16.67%

Cigarette Smoking

An estimated 1,350 smokers live in Westborough (10.5% of adults, age 18+).

The adult smoking rate is 35 percent lower in Westborough than statewide (10.5% in Westborough compared to 16.1% statewide).

The rate of smoking during pregnancy in Westborough is 65 percent lower than for the overall state of Massachusetts (2.6% in Westborough compared to 7.4% statewide).

MassHealth Tobacco Cessation Benefit

Since coverage of the tobacco cessation began in July 2006, 73 MassHealth smokers from Westborough have used the benefit - an estimated 36.7% of MassHealth smokers living in Westborough. Statewide, more than 75,000 MassHealth smokers (41%) have used the tobacco cessation benefit since July 2006.

QuitWorks

Health care providers referred 32 smokers living in Westborough to the QuitWorks program to help them quit smoking. In addition, 39 people from Westborough called the Massachusetts Smokers' Helpline to quit smoking (fiscal years 2004 to 2009).

Illegal Tobacco Sales to Minors

The rate of illegal sales to minors (those under age 18) is 12 percent higher in Westborough (9.1%) compared to the state of Massachusetts (8.1%) based on data from FY 2010.

Health Effects of Smoking

Mortality from lung cancer is 24 percent lower among males in Westborough compared to the state of Massachusetts.

The rate of hospitalizations for lung cancer is 31 percent lower among females in Westborough compared to the state of Massachusetts.

The rate of hospitalizations for lung cancer is 29 percent lower among males in Westborough compared to the state of Massachusetts.

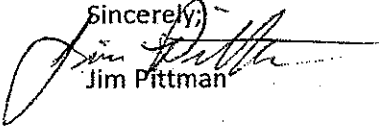


**RECEIVED**
APR 9 2012**TOWN OF WESTBOROUGH
BOARD OF HEALTH**

To Mr. Steve Baccari & Board Members:

My name is Jim Pittman I am the maintenance supervisor at Fountainhead Apartments. I am submitting this letter in the hopes that the board will allow me a variance to hire a part time certified lifeguard to work at our pool this summer. I will be honest right from the beginning, the person we want to hire is my daughter. Her name is Jessica, she completed and passed the class and will be receiving her certification shortly. The instructor went out of her way to tell my wife and I that Jess was her number one student, in a class of six people and she was the youngest. Jessica is a very strong and athletic girl, she is a freshman at Auburn High where she competed on the varsity indoor track throwing the shot put and is now throwing the disciss and shot put on the track & field team. She is often mistaken for an older person. I have no doubt and her instructor has no doubt that she could be a lifeguard at our pool. Also, the position that we want to put her in is part time between 10 and 20 hour a week and always with another lifeguard and maybe be the third person to cover breaks. If you allow me to hire her she would be a great asset to our team and it would be a great experience for her. When we open the pool at the end of May she will be 15 yrs and 6 months old. Thank you for your time.

Sincerely,


Jim Pittman

297 Turnpike Road, Westborough, MA 01581

Maintenance (508) 366-2911 • Management (508) 366-9361 • Rental (508) 366-4556

fountainheadapartmentsma.com

STABLE PERMITS - Fee: \$15.00

32 Hopkinton Road

- ▶ Gail Harris Watsky - owner
- ▶ Bought the property Dec. 2005
- ▶ 1st stable permit issued Dec. 19, 2006 for 2007.
- ▶ 2008 permit issued 2 months late - received and issued on Feb. 22, 2008
- ▶ 2009 permit - application never received; permit never issued.
- ▶ 2010 permit issued apprx. 3 months late - received and issued on March 10, 2010
- ▶ 2011 permit issued approx. 5 months late - received and issued on May 18, 2011.
- ▶ 2012 permit has not been issued. Application mailed Nov. 28, 2011. Second notice mailed Feb. 6, 2012. Paul has made several phone calls; messages left on voice mail. No response from the owner of 32 Hopkinton Rd.

Stable permits are issued by the calendar year; they expire on December 31st.

Letters along with applications are mailed in November well advance of the December 31st expiration.