



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
September 24, 2013
Central One Federal Credit Union, 2nd Floor
40 South Street
5:30 p.m.

AGENDA

1. Minutes of Meeting (7/16/2013)
2. Director's Reports (July & August)
3. Sanitarian's Reports (July & August)
4. Health Inspector's Reports (July & August)
5. Old Business

5:45 p.m. - Wayside Mobile Park - update on septic system/sewer connection project
6. New Business

6:15 p.m. - Maruyama Take Out Restaurant - Variance Request
7. Director's Issues
8. Adjourn



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

Minutes of Board of Health Meeting September 24, 2013

The regular Board of Health meeting was held on Tuesday, September 24, 2013, in the Community Meeting Room on the second floor of the Credit One Federal Credit Union, 40 South Street. The meeting was called to order at 5:30 pm. by Acting Chairman Walsh. Present: Member Federici, Director McNulty, Sanitarian Baccari and Inspector Gilchrist. Absent: Ehrlich. Bills and payroll were signed.

Minutes of the meeting held on July 16, 2013, were approved.

Director's reports (July & August) were discussed and approved. Director McNulty met with the Personnel Board last month to discuss the Board's request for a part-time inspector (16 hours/week). The Board gave approval for 19 hours with 16 hours to be funded. Director McNulty is scheduled to meet with the Finance Committee on September 30th.

Sanitarian's reports (July & August) were discussed and approved.

Health Inspector's reports (July & August) were discussed and approved.

Old Business

At 5:45 p.m., the Board prepared to meet with the Board of Directors of the Turnpike Park Cooperative to discuss the progress of the mobile home park's sewer connection to the Town's sewer system.

Director McNulty gave a brief summary from the last month's meeting. There were some issues at the last meeting regarding the legitimacy of the officers of the board of directors. The group was directed by the Board of Health to hold a general meeting with an election and have the funding completed by the Board's September meeting. In meantime, several emails have been sent to him regarding who is the official new board, financing issues, etc. This all started when the trailer park failed to meet a deadline for sewer connection because of a failed Title V inspection. The Board started the process to determine whether the trailer park should be placed in receivership. In his opinion, the situation is not getting any better.

Acting Chairman Walsh opened up the discussion to the audience.

Mr. Scott Knox, 165 Turnpike Road, speaking as president of the new board of directors, said meetings were held for nominations for a new board. The meetings were open to all the residents of the park. Paul Dorr was notified, but did not attend. Nominations were made; an election was held last week. Over 60% of the membership voted for the new board. Mr. Dorr refuses to recognize the new board and will not relinquish his role. Mr. Knox said the new board must now retain a lawyer to become a legal, officially recognized board.

Mr. Fred Forte, 165 Turnpike Road, said he is the new treasurer. It appears that the park might qualify for financing from CDI (Cooperative Development Institute), but the board has to become officially and legally recognized before the process of financing can start. A judge will probably have to sort it out.

In response to questions from Acting Chairman Walsh, Greg Franks, Town Counsel, said the court could appoint a receiver because evidence shows that the owner has not complied with the order and fixed the violation to the State Sanitary Code. He also added the receiver would be in charge of the park for the duration of the receivership. Mr. Franks said if a petition was filed to appoint a receiver and the residents were able to work things out and determine who was in charge, the judge could decide that receivership is not needed. But if matters aren't resolved, the judge will see that and appoint a receiver.

Veronica Hernandez said she has been a resident of the park since September. She has never received a copy of the bylaws. She is concerned for herself and her family and also her neighbors who need their homes. She would like to make the park do better. Her home is also near the septic tank and she doesn't believe it's cleaned as often as the former president said it was.

Mr. Forte said Paul Dorr claimed the tank had been pumped in July. The cooperative received a \$1,500 bill for it, but there was no sign of anything being done around the tank.

Director McNulty said pumping records are suppose to be sent to the BOH and he will check the file to see if the tank was pumped out in July.

Dennis Cronin, 165 Turnpike Road, said he would like to ask the Board for an extension for the sewer connection until things can be sorted out.

Acting Chairman Walsh said the order was given five years ago and there have been numerous delays, etc. Something has to be done. Our concern is public health and keep the park habitable.

Member Federici agreed. This has gone on a long time. The system is five years older than it was when the order was given and it's not getting any better. She does not want something to happen that causes the residents to get sick.

Joe Belsito, 165 Turnpike Road, said the residents do not want receivership. We formed a new board. We went by the book and banded together. We would like a little more time to work together and get the work done.

Mr. Forte said the contractor who submitted the proposal earlier this year said he could start the work in March which is six months away.

Betsy Prakash, 165 Turnpike Road and secretary of the cooperative, said the names of two former members of the previous board were also placed on the ballot. The remaining former board members had resigned and moved away. She also pointed out that the residents don't want this to go on forever. They tried to do it themselves.

Acting Chairman Walsh said if the park were to go into receivership, the finances would be handled by the court.

At 6:15 p.m., the Board temporarily suspended the trailer park discussion.

The Board prepared to meet with Jen Caso to discuss a variance request for his new restaurant, Maruyama. The restaurant will open at 72 East Main Street, the former location of Bagel Bistro. The restaurant will be serving sushi and burritos; a variance is required for the preparation of sushi rice. A. HAACP plan has been submitted. Inspector Gilchrist recommended the variance be granted.

Member Federici made a motion to grant the variance to Maruyama. The motion was seconded by Acting Chairman Walsh; the vote was unanimous.

At 6:20 p.m., the trailer park discussion resumed.

Ellie Donnelly, 165 Turnpike Road, a long-time resident of the park, said she was on the previous board with Mr. Dorr. She wasn't allowed to voice her opinions as a board member. Her main concern during her tenure was the water and sewer issues. Her concerns were ignored by Mr. Dorr. The present board gets along well. She believes they can get the work done. They want to keep the trailer park clean and attractive.

Cora Reardon, 165 Turnpike Road, said because of a vacancy, she took on the position of secretary of the board of directors for the Turnpike Park Cooperative during the second year of the board's existence. During the second year, there was an engineering plan submitted, but it needed some revisions. The revisions cost money. The plans were eventually discarded. The residents don't know anything about the new plan. When residents asked questions, they were told it was none of their business. She is questioning where did the money go that was suppose to go the project. The bank was told to talk only to Mr. Dorr. She said they need access to the contractor, the banking and the engineering plans. They need to know what the impact will be. They have heard the rent will go up; many of the residents are on fixed incomes and cannot afford any increase. She is no longer secretary.

Al Delficew, 165 Turnpike Road, said he lives two doors down from Mr. Dorr. He was told two days ago that the contract and financing had been approved. He later found out that was not true. The residents are told nothing and what they are told are lies.

Acting Chairman Walsh said the comments heard at this meeting were enlightening. The group is heading in the right direction by retaining a lawyer. Questions need to be answered regarding the accounting practices, both past and present.

Director McNulty said he issued the original waiver five years ago to connect to sewer. He is concerned the issue might not be resolved for some time because of the discord among the residents of the trailer park. Most sewer construction can start in March or April, in normal circumstances. According to Northboro Septic, there is a lot of hand work that is involved with the project at the trailer park. Northboro Septic has to have a signed contract by March in order to hire extra help and have the equipment ready to start the work. Other concerns are the legitimacy of the board and obtaining financing for the project.

Mr. Knox said the new board is working on a plan now.

Mr. Forte said no financial information has been given. Payments from the residents are handled by the accountant. The residents can go directly to the accountant with their payments or mail them. There is also a drop box at the trailer park.

Acting Chairman Walsh said we are approaching an impasse.

Member Federici requested Mr. Knox keep in contact with Director McNulty with updates on the group's progress.

Acting Chairman Walsh said he would like a full board present before making a decision. He will give the group until next month's meeting to show some progress. The group needs to work with the accountant and be represented by a lawyer. The BOH cannot evaluate at this time the group's progress. A receivership would give the BOH a definitive individual in charge and hold responsible.

Director McNulty told the group that for their information, over the last five years, the trailer park has wasted approximately \$400,000 on water. The average bill should be approximately \$2,800 per quarter. You have to fix the water system.

Discussion ended at 7:00 p.m.

DIRECTOR'S ISSUES

The move from the Forbes Municipal Building to the Central One Credit Union on September 13, 2013, went fairly well. Internet service is still sporadic and the scanner on the copier is still not working.

Draft copies of proposed new regulations for the sale of tobacco products and smoking in the workplace were distributed. Director McNulty asked Board members to review and consider the recommendations (printed in red). There will be discussion at next month's meeting.

There being no further business, the meeting adjourned at 7:15 p.m.

The next meeting will be held Tuesday, October 15, 2013.

Respectfully submitted,

A handwritten signature in cursive script that reads "Kathleen Smith".

Kathleen Smith