

Board of Health

May 11, 2011 Meeting Minutes

Members present: Robert Barrell, Alan Harris, Celia Hartigan, Beverly Salate and Sam Wong

Chairman Barrell convened the meeting at 7:00 p.m.

Meeting Minutes After discussion and upon motion of Mrs. Hartigan and second of Mrs. Salate it was voted all in favor to approve the minutes of the April 27, 2011 Board of Health Meeting.

Bills were paid

Trash Removal at 593 Prospect Street As reflected in the April 27, 2011 Meeting Minutes, a Violation Notice dated April 6, 2011 was issued to Mr. and Mrs. Thomas Doonan informing them that unsanitary conditions exist on their property at 593 Prospect Street. They were given until April 18, 2011 to be in compliance. This is the second time a Violation Notice for this reason has been issued to this resident. The first time was October 28, 2008. Each Board member with the exception of Dr. Harris have driven by this property and are not satisfied with the result of the Doonan's efforts.

The Board instructed Mrs. Mard to have a constable deliver an Order to Abate Public Health Nuisance on May 13, 2011 with a compliance date of Thursday, May 19, 2011 at 5:00 p.m. This date was chosen specifically because Thursday is trash pick-up day on Prospect Street. This would allow the Doonan's the opportunity to have all the trash removed on that day before 5:00p.m. Failure to comply with this order constitutes grounds for fines of \$100.00 (one hundred dollars) per day and /or legal action which may include Application for Criminal Complaint in the District Court or a request for Injunction Relief in the Superior Court of the Commonwealth of Massachusetts. The fines were voted on at Town Meeting and are documented in the Town of West Boylston General Bylaws Article XXXII/Board of Health and MGL C 111 S. 123.

Order to Abate Public Health Nuisance 9 Bowen Street Mrs. Mard, Inspector for the Board went to 9 Bowen Street to do a site inspection following a neighbor complaint that a couch was in the yard with some type of animal living in it. As a result of the inspection, an Order to Abate Public Health Nuisance was sent to the home owners Mr. and Mrs. Alan R. Jutras of 586 Essex Street, Beverly, MA 01915 on May 4, 2011. Chairman Barrell confirmed compliance with the Order to Abate.

American Legion Discussion Re: Smoking The Town Administrators office was notified on April 28, 2011 that an advertisement was submitted to the Clinton Item and the West Boylston Banner announcing Friday night Karaoke events that are open to members and non-members. The add states: "Dj Rich spins May 11, 2011 Board of Health Meeting Minutes

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a night of good tunes and great karaoke. Post 204 is open to members and non-members alike and offers free play on two pool tables, reasonably priced drinks, indoor smoking room and now Mass Lottery/Keno". Mrs. Mard spoke with the Post Commander Stephen Sulkoski and explained the rules to him regarding smoking. Mass General Law Ch 270 sec 22 subsection (c) 2-i smoking may be permitted in the following places and circumstances:

Premises occupied by a membership association, if the premises is owned, or under a written lease for a term of not less than 90 consecutive days, by the association during the time of the permitted activity if the premises are not located in a public building; **but no smoking shall be permitted in an enclosed indoor space of a membership association during the time the space is:**

- Open to the public; or
- Occupied by a non-member who is not an invited guest of a member, an employee of the association; or
- Rented from the association for a fee or other agreement that compensates the association for the use of such a space.

Mr. Sulkoski was very cooperative and guaranteed the smoking would not be allowed. There are issues with advertising the American Legion as being open to the public but those issues concern the Town Administrators office not the Board of Health.

Mr. Richard Simmarano, the person responsible for placing the ads in the newspapers, also came to the office to discuss the rules for the Legion. He will no longer advertise smoking at the American Legion.

MHOA Conference A Save-the-Date flyer was included in the Agenda package for the annual MHOA Educational Conference scheduled for October 26 through the 28, 2011, in Springfield, MA.

Town Administrator Letter Re: Salaries for Elected Boards The Board acknowledged a letter from Town Administrator Gaumond stating that the annual salary for all elected boards and some appointed boards will be set at \$1.00 for FY12.

With no further business to come before the Board and upon motion of Dr. Harris and second of Dr. Wong, it was voted all in favor to adjourn at 8:30 p.m.

Barbara A. Mard

Robert J. Barrell, MPA, Chairman

N. Alan Harris, MD, MPH, Vice Chairman

Celia F. Hartigan, RN, MPH

Beverly A. Salate, RN, BSN

Samuel S. Wong, PhD, REHS/RS