

1359

Board Meeting.....August 9, 2016.....12:00 noon

Board Members Present: Dr. Thaddeus A. Figlock, Chairman
 Dr. Joseph F. Nates, Board Member
 Dr. Bruce E. Bodner, Board Member

Staff Present: Heather Gallant, Exec. Director, Adam Vickstrom, Assistant Exec. Director, Kevin
 Duquette, Daniel Ross, Daniel Syriala, Eileen Boudreau, Lillian Tetreault, and Kendra
 Motta
Absent: Jessica Ferreira and Kathleen Driscoll

**Motion: By Dr. Bodner for approval of the minutes for the June Monthly Meeting. Also,
 approval of the minutes from the Special Site Assignment Meetings regarding the
 Landfill. Seconded: By Dr. Figlock.**

Sanitary Inspectors Monthly Reports:

There are monthly reports for June & July that have been submitted from the staff to be reviewed by the Board, due to no Monthly Board Meeting scheduled or held for the month of July.

Jessica Ferreira, Sanitary Inspector - The Executive Director summarized the June Monthly Report for Jessica Ferreira in her absence; she is out on Maternity Leave. There was nothing out of the ordinary to report.

Public Health Nurse:

The monthly reports are enclosed for Kathleen Driscoll, Public Health Nurse.

Lillian Tetreault, Part-time Public Health Nurse submitted her monthly reports for review. Ms. Tetreault reported she is still following up with her T.B. Case.

She attended a couple of conferences along with Ms. Driscoll.

Getting ready for Medical Hazardous Waste Day which is going to be held on Saturday, August 20th from 8:00 - 12:00.

Inspected three Summer Camps along with Ms. Driscoll. Everything was in compliance.

Adam Vickstrom, Assistant Exec. Director submitted his reports. Mr. Vickstrom reported he has been following up on some food complaints that were received in Jessica Ferreira's absence.

Opening some new businesses with Hazardous Materials (required permitting)

Had a court case

Received two complaints from DEP; Upon inspections, he did not find any violations regarding these two complaints.

Heather L. Gallant, Executive Director – submitted her monthly reports. Ms. Gallant mentioned she is very grateful of the staff in helping out in Jessica's absence regarding food inspections.

Ms. Gallant reported she is going to have Eileen Boudreau, the new Sanitary Inspector, attend some trainings, and she is going out on field trainings with other staff.

Old Business:

Western Bristol County & Foxborough Tobacco & Alcohol Prevention – Update – and continuation of hearings for 2nd and 3rd offenses for illegal sales of tobacco products to a minor – (Joe's Gas)

Ms. Marilyn Edge, present:

A continued hearing for multiple sales to minors: Mr. Pierre Ibrahim, from Joe's Gas, 245 Cape Highway, was out of the country in May when all of the other violators came before the Board for a hearing. He had asked for a continuance.

May 23, 2013 – 1st offense, \$100.00 fine/ticket April 23, 2015 – 2nd offense, \$100.00 fine/ticket March 4, 2016 – last offense, \$200.00 fine/ticket - All have been paid. It was the same clerk that made the sales.

Ms. Edge mentioned once the Police Department gets notice of the violations of tobacco sales to minors in places that have beer and wine and/ or full liquor, the Licensing Board calls them in, because under their liquor licenses any violations of any state or local law is also a violation of their liquor license. Ms. Edge appeared at the Licensing Board last month with Lt. Detective McCabe with four stores that had liquor, beer and wine.

Dr. Nates asked for Ms. Edge's recommendation. Ms. Edge recommends for a seven day suspension of their tobacco license.

Motion: By Nates: For a seven day suspension of their tobacco license. Seconded: By Dr. Figlock. The suspension will start on August 30th to September 5th.

Ms. Edge will send out a letter by Certified Mail notifying them of the tobacco license suspension with all the information and the dates for the suspension.

There were two FDA violations. She received an email from the Massachusetts Officers of Health Boards notifying her that two of our stores had FDA violations and they received civil money penalties. On the 1st offense from the FDA they would have gotten a warning letter. The FDA counts the sale as a second offense because: (1. they did not ask for an ID and 2. They made the sale). If they do the recheck and they don't ask for an ID, that is a third offense and then if they make the sale that is the fourth offense. Their civil penalty money letter could be as much as \$500.00.

The two were, Girlies Variety, on Oak Street and Walt's Auto Service on Broadway.

Ms. Edge reported she did a check for Jessica Ferreira on a possible issue of smoking in a storage area of a particular restaurant and in the kitchen. Ms. Edge did not find any evidence of this happening.

Taunton Sanitary Landfill – updates

Mr. Peter Richer, WMMA: present:

Mr. Richer reported the operations of the Landfill are continuing the same as before. They are continuing to fill the outside slopes of the Landfill.

New Business:

Mr. Fred Cornaglia, DPW Commissioner, Present:

Dr. Wayne Bates, from Tighe and Bond, Civil and Environmental Engineer Consultant, is present and Jack Hamm, from DEP is present.

The Board of Health wants to have a consultant that they have confidence in, knowledgeable to conduct an evaluation of WMMA's current odor control program and the odor complaints noted in this Decision, and recommend revisions to the odor control program and/or mitigation measures to alleviate odor complaints. WMMA shall reimburse the Board for the cost of this evaluation. After review of this evaluation and recommendations, the Board may impose additional odor control requirements necessary to prevent danger to the public health, safety or environment.

Dr. Wayne Bates reported that the way they are reading the Order of Conditions on the Landfill is that the objective would be to review Waste Management's Odor Control Program and then to also look at better ways or how the solids are being shipped from the Waste Water Treatment Plant to the Landfill and what type of containers and better ways to containerize and seal. Also, looking at the complaints that have been received and the routes that the trucks have taken from the Waste Water Treatment Plant to the Landfill. That is the approach that they were going to take as to look at the documented complaints; plot them on the GIS and what type of complaint depending on the level of information that we have behind the complaints, what they smell and what time of the day, prevailing winds, etc..

Anything that can be done to expedite trucks through the process. What happens on holiday weekends from a stand point? This is the overview of their scope and their approach to address the items.

Dr. Bates reported he has thirty years of experience in Civil and Environmental Engineering. He is a Professional Engineer in a number of states. He has done Landfill closures and assessments. They would be meeting with Veolia to look at the containers that are being used and the liners that are currently being used.

Mr. Jack Hamm, DEP, reported what they would propose is that they would take the lead and they want a member of the Board of Health staff to be assigned to this project for communication with the Board of Health, and also a series of meetings so that they can come back to the Board at interim periods to inform us of where they are and what is going on.

Kevin Duquette will be the assigned representative from the Board of Health staff to work along with the team on this, the studies and the route.

Dr. Nates reported that he feels that the big problem is that the sewerage should be shipped in closed containers and that those closed containers be buried intact into the ground so that there is no exposure to the environment.

Jack Hamm reported that due to the concern of the containers, there was an unannounced inspection of some of the containers. A recent finding was that some of the containers were inadequate and not acceptable. They went back to the contractor Veolia.

Mr. John Mongy, present: from Veolia, runs the Treatment Plant, reported to the Board on the containers and what he has done since the inspection. Mr. Mongy contacted the sub-contractor regarding this issue and they have gone through all of the bins and they have made sure that all the ratchet mechanisms and that all the gaskets are new. They are 30 yard containers and all are open top. A tarp is pulled over it and covers it in transit. The gasket is on the door that allows the sludge cake to slide out.

The Department of Public Works will come back on a regular basis and meet with the Board to keep the Board on an updated report of what is happening. Mr. Cornaglia will submit a monthly report to the Board.

Dr. Nates requested for the Executive Director to notify Attorney Michael Scott that the Board has joined together, to work with DPW on this.

Hearing for an addendum to the existing Taunton Septic Tank Regulations

The Executive Director reported there have been cases where folks have wanted to reuse the septic tanks that were necessarily suitable for reuse. The Board of Health's concern is the integrity of the tank. She is looking for the Board to consider this regulation that if any septic tanks are greater than 10 years old, prior to the new code, 1000 gallon. Any tanks that are newer than that are older than 15 years old cannot be used for a repair or an upgrade situation unless they want to have an engineer certify that the tank is suitable. If the tank is no good, that is the first area of protection, and if that tank is not in good condition, the whole system is deemed in failure.

The Executive Director clarified if the tank is a 1500 gallon tank and is greater than 15 years old, that you can't reuse them for a repair or an upgrade unless you get it certified from an engineer because it starts to degrade.

Dr. Bodner proposed a correction on this regulation.

Motion: By Nates for the Executive Director to make changes to the Septic Tank Regulations and present it to the Board at the next monthly Board Meeting, (the corrected regulations) and they will vote on it then. **Seconded:** By Dr. Bodner.

Nichole Sherwood, 14 Meadow Street, Apt. #2 – regarding violations of the Taunton Domestic Animal and Bird Regulations

Ms. Sherwood and her boyfriend, residents of the above address are requesting a hearing regarding the animals they have in the yard, a rabbit and one chicken. There are issues with the property guidelines of it being too close to the neighbor's fence. No one has complained.

Dan Ross, Sanitary Inspector, did receive an anonymous complaint about trash that was piling up on the side of the house and the animals in the back. Upon inspection, there was a lot of trash found in the yard. They cleaned the yard and the trash after this complaint, which wasn't their trash. They got the complaint from the landlord so they cleaned the yard and cleaned where the animals are. He since has moved the chicken coop away from the fence.

Kevin Duquette did go out on an inspection there and did not detect any odors there.

Motion: By Dr. Figlock for the Board to grant the variance to the setbacks. **Seconded:** By Dr. Nates. All in favor.
This variance is pending that the location remains as is and the number of animals remain as is.

A letter will be sent to them that the variance was granted with the conditions that were discussed. Also, depending upon in the future if someone else should complain, they may have to come back before the Board.

Communications:

a. Financial Statement

The Financial Statement figures are submitted for the month of June and July. June is the end of the FY16. Showing what amounts were allowed for the year in our budget and what was spent. July figures are starting the new FY17.

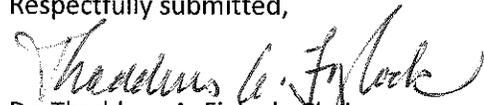
Schedule the Next Monthly Board Meeting:

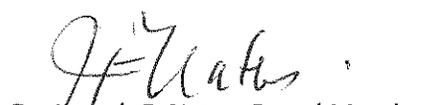
Motion: **By:** **Dr. Nates for the next monthly Board Meeting to be held on Tuesday, September 6, 2016, at 12:00 noon. Seconded: By: Dr. Figlock. All in favor.**

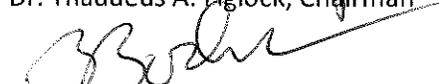
Dr. Nates would like Heather L. Gallant, Executive Director, to send a letter to Attorney Michael Scott informing him that the Board of Health, along with DPW, entered into an agreement for an odor study with a Consultant.

Motion: **By Dr. Nates for adjournment of the meeting. Seconded: By Dr. Bodner.**

Respectfully submitted,


Dr. Thaddeus A. Figlock, Chairman


Dr. Joseph F. Nates, Board Member


Dr. Bruce E. Bodner, Board Member