

Board Meeting.....June 7, 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 L. Gallant, Exec. Director, Adam Vickstrom, Assistant Exec. Director,  
Kevin Duquette, Daniel Ross, Daniel Syriala, Jessica Ferreira, Lillian Tetreault,  
Part-time Public Health Nurse and Kendra A. Motta

Motion: By Dr. Nates for approval of the minutes from the May Monthly Board Meeting.  
Seconded: By Dr. Figlock.

Sanitary Inspectors Monthly Reports:

Jessica Ferreira, Sanitary Inspector submitted her monthly report for the Board's review. Ms. Ferreira reported she received a complaint against Bunny's Restaurant on Tremont Street that the owner was making and baking all her goods at her home and not at the restaurant. Upon inspection, she was honest and did confirm that she was doing that. She informed her she could not do that; if she wanted to do that out of her house she needs to be permitted correctly; which would be a residential permit. There was another complaint received regarding someone got food poisoning from the 99 Restaurant on Dean Street. The person did not go to the hospital to have this illness confirmed. Upon inspection, Ms. Ferreira witnessed they had all the proper processes in place and she watched the chef make the item that the person claimed they got sick off of.

Ms. Ferreira reported she has tried to contact the woman from Walnut Street who is making baked breads and goods out of her home and selling it to the public and she is not permitted. She issued a Cease and Desist Order to her back in March. There was another complaint recently that she was still doing this and was selling the goods out of Morton Hospital. The Human Resources Department at Morton Hospital spoke to this woman and told her she was not allowed to do this due to not the proper processing and this was not allowed at the hospital. She has also been selling these goods at a Salon on School Street. Ms. Ferreira has been trying to reach the Salon to find out if she is selling these baked goods out of this Salon.

Ms. Ferreira also had to issue another Cease and Desist Order at the Farmer's Outlet Market on Rt. 44. They were cutting fruits and vegetables without the proper permit. She informed the owner of the set up in the back that they need to get a three compartment sink in order to comply.

Daniel Ross, Sanitary Inspector submitted his monthly report for the Board's review. Mr. Ross reported he has been receiving an increase on nuisance type calls/complaints due to the warmer weather now. Everything else has been going smoothly.

Daniel Syriala, Sanitary Inspector submitted his monthly report for the Board's review. Mr. Syriala reported it has been pretty steady with Title V, percolation tests, septic open hole and final inspections. Everything has been going well; nothing out of the ordinary.

Mr. Syriala signs off on building permits making sure if there is a septic system on the property that it is not encroaching on the setbacks to the system or additions to houses are not going to cause more flow to the property septic system.

Dr. Figlock questioned on the Casino when it comes in regarding tying into City Sewerage. Mr. Syriala stated that would come under the Department of Public Works.

Lillian Tetreault, Part-time Public Health Nurse submitted her monthly report for review. Ms. Tetreault reported she has been following up with the T.B. patient and the family. The young boy was first positive. He was at Children's Hospital and is also seeing Dr. McCrone in Taunton as a follow up. His brother tested positive on the skin test; the chest x-ray was negative and also seeing Dr. McCrone. He is on medication. The mother is negative. Now they have to re- test the five family members they live with; an aunt and uncle and three small children. They have all been negative. They are going to be followed up with the T.B. clinic with Dr. McCrone monthly.

Adam Vickstrom, Assistant Exec. Director submitted his monthly report for review. Mr. Vickstrom reported he is continuing to work with the Law Department and the Attorney General's Office on the receivership properties. Still in court routinely for lead paint violations. There were a couple dumpster complaint orders that were issued with regards to trash blowing around in the wetlands. They were both ordered to fence in their dumpsters and determining if the size of the dumpsters were appropriate or increase their pick up schedule.

Mr. Vickstrom did a food inspection last month for Jessica Ferreira.

Heather L. Gallant, Executive Director submitted her report for the Board's review. Everything has been going well.

Continuing to work with Lillian Tetreault with the Opiate Task Force.

She attended the MEMA Hurricane Conference last week. June 1<sup>st</sup> starts the hurricane season. Making sure everyone is prepared and aware of hazards associated with that including food and public health implications if there were a wide disaster.

#### Old Business:

##### a. Taunton Sanitary Landfill – Update

Mr. Peter Richer, present for Waste Management of MA

Mr. Richer reported everything is operating properly. They will be sampling the Landfill gas this week. This sampling is done every five years. Mr. Richer reported Sampling of the aggregate going to Fortistar's engines; to confirm the emissions estimate from the Landfill. The operation of the Landfill is status quo. This is taking a sample right from the pipes. There is no disturbance to any of the collection system. It takes an actual sample to identify the non-methane organics compounds within the Landfill gas. It is standard procedure.

Dr. Figlock questioned if Waste Management had any other contracts near Taunton? Mr. Richer reported "yes", they have a regional collection company in the area that services thirty to forty miles to this area and other parts of Massachusetts as well.

Mr. Richer reported they have a municipal landfill in Middleboro that they operate a smaller capacity landfill, and one in Fitchburg, Massachusetts which is a larger facility, more of a regional landfill.

Dr. Figlock questioned if WMMA has looked into new types of technologies for this area? Mr. Richer reported they are continuing to explore new technologies. Dr. Figlock made mention to Landfill Gas to Energy. Peter Richer reported they have hundreds of these across the United States where they can develop landfill gas to energy plants. It has to be financially feasible too because they are very expensive to build. They are only going to be financially feasible to the extent the gas is there. If the gas is not there and the quality of the gas is not there, you have made this huge investment and no gas

to power the plant. There are facilities in New England that they have idling engines because there is not enough gas.

Dr. Nates questioned if FortiStar was a subsidiary of Waste Management? Mr. Richer stated "no". Is there any connection between them? Mr. Richer stated absolutely not. Dr. Nates questioned who puts the piping in for the Landfill? They contract that out.

The agreement that the City and Waste Management has with FortiStar is that on the electric sales WMMA receives five percent of the net electric sales and fifty percent of that is given to the City. Waste Management collects 2 and a half percent and the City collects 2 and a half percent. It is a revenue share agreement.

Dr. Nates questioned Mr. Richer if he has received any complaints regarding all the plastic and the plastic bags on top of the Landfill? Mr. Richer stated no. Dr. Nates mentioned he will make a motion later on in the meeting to ban the use of plastic bags in the City of Taunton.

Donna Amaral, Cherry Street, spoke before the Board regarding the Landfill. She questioned Mr. Richer on the sampling of the gas and if the odor of this gas is dangerous to their health? Mr. Richer reported the quality of the gas is being sampled regularly. It is a regulatory requirement. Ms. Amaral stated in the summertime the smells from the Landfill are terrible. Dr. Nates reported that the odors primarily are coming from the sludge being transported from the Waste Water Treatment Plant to the Landfill.

b. Western Bristol County & Foxborough Tobacco & Alcohol Prevention – Update

Ms. Marilyn Edge, not present:

The Executive Director reported in her absence that Ms. Edge is continuing to monitor the people and places that got the tobacco license suspensions at the last meeting. Jessica Ferreira is checking while she is out on her food inspections that these places that have the tobacco license suspensions do not have tobacco products out for sale and on display until their time is up for their violations.

c. Medical Marijuana – Update

The Executive Director reported there is no new information.

Dr. Nates would like to make a motion for the Board to send a communication to the Municipal Council and to the Mayor recommending that they ban the use of plastic in the City and going into the Landfill. Dr. Nates stated biodegradable bags would be fine. Dr. Nates is going to make a recommendation if they took the city sewerage and put it into sealed biodegradable containers, there would be no odor when they bury this stuff at the Landfill. Dr. Figlock asked Ms. Gallant to send a letter to the Mayor and to the Municipal Council and the Committee on Solid Waste regarding the request in banning of all plastic bags and replaced with a biodegradable bag or barrels. Dr. Nates will dictate the letter to Ms. Gallant to be sent. Dr. Figlock said the Board will research this and get the facts. Ms. Gallant asked Dr. Nates to clarify what kind of bags so she would know what to put in the communication. Dr. Nates referred to the grocery bags and as far as the City orange trash bags he suggested they could be replaced with biodegradable bags. Dr. Bodner would like to investigate this further before this letter goes out.

**Motion:** By Dr. Nates to send a communication to the Mayor and the Municipal Council requesting and recommending that they consider banning and the use of all plastic bags in the City of Taunton. **Seconded:** By Dr. Figlock. All voted.

Dr. Nates reported that the Landfill comes under the jurisdiction of the Department of Public Works. He strongly recommends that all the complaints the Board of Health receives regarding the Landfill be referred back to the Department of Public Works with reference to odor. The odors are primarily due to the sewerage.

Tricia Neill, a resident of Thrasher Street, spoke before the Board regarding the odors the residents are experiencing from the Landfill especially in the summertime.

New Business:

a. Fuji Chen – hearing regarding repeat violations of the FDA and MA Food Codes

Jessica Ferreira spoke before the Board:

At last month's meeting she stated she brought before the Board the concern of Fuji Chen, at the Food Court at the Galleria Mall and their food safety behaviors. She asked to bring them before the Board to get Food Safety Certification and training in their language.

Ms. Jenny Ling, the Food Safety Manager, present:

Ms. Ferreira reported they were making fried chicken and battered chicken and putting it into the raw chicken boxes due to the contamination with the packaging and also leaving it out for long periods of time. She did a re-inspection on May 4<sup>th</sup> and found everything to be in a better place. She gave them documentation in their language on hot holding and other food safety information. When she went back out on an inspection, she did not witness any food being left out and they were using food grade containers. The hot holding was also Ms. Ferreira's concern. If they continue reoccurring issues, she will demand and mandate they get food safety training in their language.

b. Judy Camara – 145 Thrasher Street – hearing regarding violations of Taunton Domestic Animal and Bird Regulations

Judy Camara, present, 145 Thrasher Street

She stated they have chickens, goats, and a pig.

They had them originally in the left hand side of their property and were told they had to remove them due to wetlands. So they moved them to the back right hand corner of their property. The abutter notices were sent out signed receipts. She submitted a certified plot plan of her property for the Board's review. It is 30,263 square feet.

Mr. Kevin Duquette reported to the Board that he received a complaint call and also a direct call from the Conservation Commission Agent that she had issues with the wetlands. The Animal Control Officer also went to this property. There are quite a few animals there and it is a very small lot and very close to other neighbors given our setback requirements. Working with Conservation, Mr. Duquette issued an order regarding setbacks because of the location of the encampment. It has been moved since per the Conservation request but is still within our violation setback requirements for keeping those types of animals near residential properties. Our setbacks are 150 feet from a neighboring house and 10 feet from the property line. She is not meeting the requirements.

Abutters are present before the Board.

Ms. Camara asked the Board to reconsider the situation. Her son has anxiety and emotional problems/issues. She stated his doctor had suggested having some animals and they have been beneficial for him.

Abutter, Mr. Michael Haddad, 133 Thrasher Street, spoke before the Board:

He stated there are 30 chickens, 4 goats, 9 ducks, and a pig on her property. She also placed a shed/barn 4" inches off his property line. The stench of animal feces is horrid. The chickens escape out from time to time. The goats are noisy and the ducks are noisy all day long. All of the animals are sharing the one shed.

Kevin Duquette reported as far as the odors, that is a nuisance related issue separate in itself. We do have strict setback requirements which are the structure that the animals are kept in needs to be 10 feet off the property line and the structure needs to be 150 feet away from any neighboring house. Tricia Neill, 171 Thrasher Street, spoke before the Board that she has a problem with the situation. Too many animals in too small of a space. You hear the goats all day long. She also stated this is a farm where a farm should not be. It is a nuisance.

Dr. Figlock asked for Mr. Duquette's recommendation. Mr. Duquette reported it is an excessive amount of animals for that thickly settled area to have in given the size of their lot to maintain those animals. It is difficult to maintain the odor and difficult to maintain them; they are getting loose.

Kathleen Driscoll, 175 Thrasher Street, also spoke before the Board as an abutter. Ms. Driscoll disclosed she is an employee of the Board of Health but spoke as a neighbor that they are non-compliant neighbors. They have taken what started out as a few animals but have now made a complete farm there now. The animals get out loose and the odor is terrible. A complaint was filed in the past of a rooster that crowed morning, noon, and night but they since got rid of the rooster. There are way too many animals; it is not fair to the neighbors. It is unfair to the animals in the cramped quarters they are kept in.

**Motion:** By Dr. Bodner to decline the request for the variance for the farm animals at this property. **Seconded:** By Dr. Nates. All in favor.

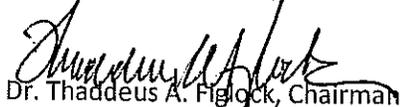
Mr. Duquette stated the recommendation would be a thirty day compliance to this order to either meet the setback requirements or they have to remove those animals.

Schedule the next monthly Board Meeting:

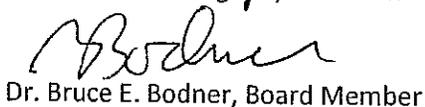
The next scheduled monthly Board meeting is scheduled for Tuesday, August 9<sup>th</sup>, at 12:00 noon. There will not be a meeting for the month of July.

Meeting adjourned.

Respectfully submitted,

  
Dr. Thaddeus A. Figlock, Chairman

Dr. Joseph F. Nates, Board Member

  
Dr. Bruce E. Bodner, Board Member