

Board Meeting.....May 3, 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 Executive Director,
Kevin Duquette, Jessica Ferreira, Daniel Ross, Daniel Syriala, Lillian Tetreault,
Part-time Public Health Nurse, and Kendra A. Motta
Kathleen Driscoll, Public Health Nurse, absent

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

Sanitary Inspectors Monthly Reports:

Jessica Ferreira, Sanitary Inspector, submitted her report for review. Ms. Ferreira reported she has been going to the Galleria Mall frequently on food inspections due to an issue of cockroaches. She has spoken with the mall operations manager of each restaurant and she will follow up again with them the end of this month to make sure everything necessary is being done and behaviors are not going back to the way they were.

There is a canteen truck that is in the Industrial Park that is not permitted. Ms. Ferreira and Mr. Vickstrom both had spoken with him last year regarding this. Ms. Ferreira has caught him at Reinhart at the Industrial Park and informed him he needs to come in and get a permit. Perkins Paper in the Industrial Park has seen him there as well.

She issued one Cease and Desist Order to a convenience store that was serving self-serve Ice Cream. She explained to them they cannot do that under a Retail Food Permit. So they got rid of it.

Ms. Ferreira mentioned she would like to bring Fuji Chen before the Board next month because she is concerned of their Food Safety behaviors with hot holding and improper cooling of food. During a routine inspection, food was still left out even though she had previously spoken to them about that. She will recommend or suggest that they get a Food Safety Consultant.

Daniel Ross, Sanitary Inspector submitted his report for review. Mr. Ross reported he just finished up with a condemnation case which ended up being an elder abuse case and working with Community Crisis Intervention Team to help in solving that case.

Daniel Syriala, Sanitary Inspector reported everything has been going well with Title V. He reported he took a Registered Sanitarian Examination Review Course this month.

Dr. Figlock had questions of lead paint cases. Mr. Syriala reported we have ongoing lead paint cases. Once they are sited for lead paint in a home, they are given timelines set by the State that they have to abide by. The Board of Health is there to enforce those timelines and make sure these timelines are met and if not, then the Board of Health takes them to court.

Lillian Tetreault, Part time Public Health Nurse reported she has a new case of Tuberculosis. He is a young man from Cape Verdi. He started at Children’s Hospital and he is going to be followed here with Dr. McCrone’s Office. Ms. Driscoll and Ms. Tetreault have been working and following up on this. Ms.

Tetreault is monitoring his medications. There are two other people in his residence that will be tested this afternoon, the (PPD).

Ms. Tetreault did two Body Art Facility inspections. Also, summer camp inspections will be coming up.

Adam Vickstrom, Assistant Executive Director, submitted his monthly report for review. Mr. Vickstrom reported in April he did a lead paint inspection this month and found a positive result and the letter went out. The initial comprehensive inspection has not been completed yet.

He has another lead paint case in court which they will be going back to court on the 19th of May for a review. A multi-family unit, two units both with children that occupy it with lead paint throughout, common areas, exterior and interior, basement and detached garage. They have quite a big remediation.

Mr. Vickstrom assisted Ms. Tetreault with the Body Art inspections and permitted them; the tattooing and the piercers.

All the Tanning inspections have been done and the permits have been issued.

Mr. Vickstrom reported he did a food inspection also for Ms. Ferreira at Fuji Chen at the Galleria Mall and he did see food left out. Food is cooked in large quantities and they are not putting them in smaller containers and allow them to cool. They are leaving the food out for several hours to cool and then putting it in the refrigerator. It is a breeding ground for bacteria.

There was a Dept. of Environmental Complaint received on a property on Broadway. Mr. Vickstrom and a Conservation agent went out and did an inspection there and did not find any issues.

Heather L. Gallant, Executive Director submitted her monthly report for review. Ms. Gallant stated there has not been anything out of the ordinary to report.

There have been several applicants that have applied for the vacant position. The interviews will be done shortly for these. The staff has been doing a lot of extra work, which is very much appreciated.

Ms. Gallant reported she participated in a facilitated table top exercise related to Emergency Medical Dispensing, in how to handle that sort of thing and it went really well. It was held in the Randolph area but several other communities participated.

Old Business:

a. Taunton Sanitary Landfill – Updates

Mr. Peter Richer, WMMA, not present

Mr. Kevin Duquette, Environmental Compliance Officer, submitted his monthly report for review. Mr. Duquette reported he only received one odor complaint last month regarding the Sanitary Landfill. The operations have been normal; nothing out of the ordinary. We had a request from Veolia, due to their annual cleaning of the Waste Water Treatment Plant, that they needed a few more deliveries of sludge; a seasonal thing which we allowed. It was two days they took an extra truck load of sludge to the Landfill. We did not receive any odor complaints within them two days. The one complaint we received resides on the corner of Cherry Street where the cemetery is.

b. Western Bristol County & Foxborough Tobacco & Alcohol Prevention – Update
To be discussed further under “New Business” – hearings

c. Medical Marijuana – Update

All the regulations remain intact

New Business:

a. Discussion with Fred Cornaglia, DPW Commissioner, regarding Chronic Odors at The Sanitary Landfill

Mr. Fred Cornaglia, not present: Mr. Anthony Abreu, DPW, present representing Mr. Cornaglia
Mr. Abreu reported that the only time the DPW receives a report of odors from the Landfill is from Kevin Duquette. Mr. Duquette calls DPW with odor complaint reports which most of the time it is usually a sludge report. Dr. Figlock questioned how they are going to see the amount of sludge that is transported? Is that going to be pretty static or is that going to be increasing over time? Mr. Abreu reported it will be increasing over time because they will be taking more sludge out of the program, the plant. When they do a new plant coming up, maybe five years down the road, there will be an increase of sludge coming out of that in the future. The only thing that comes out of the plant is the sludge. The water that is used after the treatment, goes back into the Taunton River.

Dr. Figlock questioned if the present plant has any fixed plans for a modification or a new type of process or is it just trying to rebuild what we have? Mr. Abreu reported the plan is a new pump station is coming up within the next three years which is approximately a seventeen million dollar project and from that point about a five year process from that plant and then a new plant would come online. The new plant would come in effect probably about five years, roughly 2022. Dr. Figlock questioned if the new plant would be different in technique or more of the same? It will be different in technique.

Mr. Joseph Federico, Consultant for the DPW, from BETA Engineering Group, present, spoke to the Board regarding the new plant would be enhanced treatment for nitrogen removal. Right now they are just converting the ammonia to nitrogen and they have to take the nitrogen and convert that to nitrogen gas. That would be the largest improvement along with possibly a half of million to a million gallons more of waste water a day at the plant. There is no requirement on phosphate removal. The future is just for additional nitrogen removal. Dr. Bodner questioned why there would be more sludge in coming years?

Mr. Abreu reported there is more sewage coming down the road as more businesses are coming in connecting to sewerage. Also, there is a program where more septic systems are able to tie in and connect to the sewer line. Dr. Figlock questioned if the new Casino coming will have their own treatment facilities onsite or will they be added onto the City Sewer? There will be upgrades from East Taunton to the plant that the tribe will be paying for. Everything ends up in the plant/ on our sewer line. Mr. Federico reported that the provisions with the new plant will be to reduce the odors. The amount of odor complaints has to do with how the sludge is treated at the landfill and the transportation of it to the landfill. If everyone is careful and spread lime on top of the dumpsters as it leaves the waste water treatment plant, brings it to the landfill and the trenches are open on that day and it is dumped immediately there really should be fewer if any odors.

Dr. Nates stated he and Mr. Duquette recently did a survey over the past ten years on the Landfill with reference to odor and from 2007 to the present time, there is an average of 35 complaints a year. The odor has primarily been the sludge and the material from the sewer treatment plant. Waste Management has tried to cover the odors using deodorizers and otherwise and haven't been able to handle it. There has been a continuous list of complaints coming into us. An alternative thing is to take the solid waste that comes in and put them in to biodegradable containers that are self-contained, sealed and bury such in the landfill. Leave all the sludge and that material at the sewer treatment plant and have it treated there. "We Care" made a proposal of gasifying some of the waste.

Mr. Joe Federico, the Consultant for the City from BETA Engineering Group, said he is looking at additional measures in working on the sludge for the City in eliminating the odors. We are also looking into gasifiers. They are also looking into a sludge composting facility for the City.

The Chairman thanked Mr. Abreu and Mr. Federico for attending the meeting before the Board.

b. Western Bristol County & Foxborough Tobacco & Alcohol Prevention – hearings for 2nd and 3rd offenses for illegal sales of tobacco products to a minor

Ms. Marilyn Edge, present:

Ms. Edge reported she has a list of (8) stores here for 2nd offenses and (5) stores here for third offenses to come before the Board.

There is only one fine that wasn't paid that the ticket was appealed to the District Court. The clerk's hearing was last Friday. The store owner didn't appear so it was sent forward to a criminal arraignment.

2nd Offenses:

All of the cases of the 2nd offenses, all of the citations have been paid.

1. 229 Weir Street – owner, Mr. Geroukos Kostas, present:

This is his 3rd second offense. May 30th of 2013 was his 2nd offense, another sale on May 3, 2015 and again Board of Health hearings and no action taken, and another sale March 4, 2016 which is the 3rd second offense for this location. He is continuing to train his employees on checking for ID's.

Ms. Edge stated that all of the stores in Taunton have the required signage with regards to making these sales. The compliance check/inspections are done twice a year and to make sure the signage is in the right place.

Ms. Edge stated she has mailed out to all of the stores in Taunton notifying them of a training that is going to be conducted by the Massachusetts Health Officers Association, a retailer training on May 24th. They will be contacting Ms. Edge to sign them up for this.

On a 2nd offense, the Board can do up to a (7) day suspension in addition to fines. Ms. Edge recommended doing a suspension.

Motion: By Dr. Bodner that Mr. Kostas be served a (7) day tobacco license suspension at 229 Weir Street beginning on Tuesday, May 31st. It needs to be in writing in a letter with the details of the suspension.

Seconded: By Dr. Nates. All in favor.

2. Globe Liquors – 5 Cape Road – Mr. Vui Le, owner, present:

This is his 2nd offense. He also had a FDA violation in August of 2014. Ms. Edge's recommendation is for a license suspension.

Mr. Vui Le also owns Regal Liquors, 356 Bay Street.

Motion: By Dr. Figlock for a (7) day tobacco license suspension beginning on May 31st and he will be notified by letter from Ms. Edge on the suspension details. **Seconded:** By Dr. Bodner.

3. Taunton Mobil Mart – 1095 County Street

1346

This is the 2nd offense, sale to a minor. The first offense was April 23rd of 2015, 2nd offense was March 4, 2016. A new system has been set up by the owner. It has been 11 months since his previous sale.

Motion: By Dr. Bodner to limit his suspension to the fine. The fine has already been paid.

Seconded: By Dr. Nates. All in favor.

Ms. Edge will send him a letter letting him know that he is all set.

4. K & K Food Mart, 83 ½ Broadway – owner, present, Mr. Khan

A second offense with a FDA offense violation in the middle. The first offense was March 25, 2014. The FDA offense on August 12, 2014 and our sale was March 3, 2016. It was almost a two year period on the day of the compliance checks from the previous sales. The fine has been paid.

Motion: By Dr. Bodner that they do not suspend this gentleman's license. **Seconded:** By Dr. Nates. Ms. Edge will send him a letter in writing that he is all set.

5. Joes' Gas, 245 Cape Highway had notified Ms. Edge that himself and the owner of this store would be out of the country for a wedding and was asking for a continuance on the June meeting. Ms. Edge reported she will not be attending the June Monthly Board Meeting so this will be continued at the August Board Meeting. We do not hold a monthly Board Meeting for the month of July.

6. 138 Express, 286 Broadway, owner, Mr. Eddie Oulbacha present:

There are multiple second offenses. This is the 3rd second offense at this location. One FDA violation in addition to our own violations. August 15th and December 5th violations. Once the FDA gets a sale to a minor the store is in que to be rechecked a minimum of every three months until they have two successful checks where there are no sales in addition to what we do. We are here for a 3rd second offense violation. Ms. Edge's recommendation is for a (7) day suspension of license.

Motion: By Dr. Bodner is for a (7) day suspension of the tobacco license for this location.

Seconded: By Dr. Nates. All in favor.

Ms. Edge will send him a letter in writing with the details.

7. Y&Y Mini Mart, 414 Winthrop Street, owner not present, Mr. Tahir Mir:

The first offense sale was on May 3, 2015

Second offense was March 4, 2016

Motion: By Dr. Bodner to suspend the tobacco license for (7) days. **Seconded:** By Dr. Nates. All in favor.

Pete's Mart, 370 County Street, owner, Dushar Patel, present:

We are here on a 2nd offense violation.

There were a few 1st offenses; he had a FDA sale in August of 2014 and again in September of 2014. The last 1st offense was April 23rd of 2015. March 4, 2016 was a second offense. All the citations have been paid. Ms. Edge recommends a suspension of the tobacco license.

Motion: By Dr. Bodner for the (7) day suspension of the tobacco license. **Seconded:**
By Dr. Nates. All in favor.

A letter will be sent to him by Ms. Edge with the details.

Third Offenses:

1. City Citgo, 53 Court Street, owner, present: (The new name is Mutual) same owner
 1st offense was on March 25, 2015, 2nd offense on May 3, 2015, the store was before the Board for a 2nd
 offense hearing. All the tickets have been paid. Mr. Khan appealed the ticket. The clerk's hearing was
 last Friday at Taunton District Court and he did not appear so it went forward to a criminal case.
 Recommendation by Ms. Edge is to suspend the tobacco license for two weeks.

Motion: Dr. Nates is for a two week suspension (14 days) of the tobacco license.
Seconded: By Dr. Nates. All in favor.

Ms. Edge will send him a letter certified mail with the details of the suspension.

2. Prestige Car Wash - Sharon Smith, present, representative for Prestige Car Wash
 April 6, 2014, their 1st Offense
 April 23, 2015, their 2nd offense, suspension hearing in June, no action was taken
 March 4, 2016 they received a \$300.00 ticket – all the citations have been paid

Motion: By Dr. Bodner for Prestige Car Wash to receive a (2) week suspension of the tobacco
 license. **Seconded:** By Dr. Nates. All in favor

Ms. Edge will be sending a letter to the owner with the details of the suspension.

3. Walt's Gas – 289 Broadway
 Taral Naik, owner, present:
 1st offense was April 6, 2014, an FDA violation on August 12, 2014, our 2nd offense was May 3, 2014, the
 owner was at the Board Meeting in June and no suspension was issued,
 Another sale was made at the compliance check on March 4, 2016.

Ms. Edge reported that the State Law says anyone that appears to be under the age of 27, needs to be
 asked for identification. Everyone should be asking everyone for an ID. Ms. Edge recommended for the
 Board to suspend his tobacco license.

Motion: By Dr. Bodner to suspend their tobacco license for (2) weeks. **Seconded:** By Dr.
 Nates. All in favor.

4. A Plus Gas, Bassel Doujaiji, owner, present:
 1st Offense was April 6, 2014, 2nd offense was May 3, 2015, owner was here on June 2, 2015 for a second
 offense hearing, no suspension of their license was issued.
 We had another sale on March 4, 2016. This is the 3rd offense.

Motion: By Dr. Bodner for his tobacco license to be suspended for (2) weeks. **Seconded:** By Dr.
 Nates. All in favor.

Ms. Edge will send a letter with the license suspension details.

5. Regal Liquors, Mr. Vui Le, owner, present:

Had a tobacco sale in 2007, one in 2008, the April 6, 2014 was the 1st offense, May 3, 2015 was the 2nd offense, a Board of Health Hearing was held on June 2, 2015 (on the second offenses) and Mr. Le did not show up, so his tobacco license was suspended for (7) days. Another tobacco sale was made to a minor on March 4, 2016. All the tickets have been paid.

Ms. Edge recommended for a (2) week suspension of his tobacco license.

Motion: By Dr. Nates for a (2) week suspension of his tobacco license. Seconded: By Dr. Bodner. All in favor.

Ms. Edge will send a letter to the owner with the license suspension details.

Ms. Edge reported letters will go out to all these store owners, regular mail and certified mail, notifying them of the suspension period and the Police Department will also be notified. The suspensions will all start on the same day. Ms. Edge will create a signage that they will need to post. She will bring a Police Officer with her to begin their suspensions. Once these suspensions are over with, there will be another round of compliance checks done. Ms. Edge thanked the Board for doing these suspensions to help send the message.

Miscellaneous:

A communication dated April 21, 2016 from Waste Management asking for the Site Assignment Hearing for the new (40) foot Vertical Expansion of the Landfill. The Executive Director will have this on the Agenda for the June 7, monthly Board Meeting. We will be receiving the decision from the DEP next Monday.

Communications:

We received a communication from Ms. Maria Gomes, Human Resource Director, requesting for the Board's approval and a motion for her office to send out to the Disability Retirees. This is to get a list of medications from their physicians that are recommended for the condition they went out on. She is asking for the Board to make a motion for Human Resources to send to the Disability Retirement. The Executive Director has a sample letter enclosed for the Board's review. Ms. Gomes is asking for the Board to make a motion for her to send this letter out to the retirees to submit a list of the medications from their treating physician to show that the medications are directly related to that disability.

No motion was made.

A communication is enclosed from Mayor Thomas C. Hoyer, Jr. expressing his support and speaking in favor for the application for the Vertical Expansion Request for the Landfill.

The Assistant Director reported the Board of Health has received a Dept. of Public Health Form from the Police Department which essentially allows those qualified Police Officers in the City of Taunton to be able to obtain and administer NARCAN in the City to those who need it. They need this form essentially signed from the Board of Health. They need a signature from a Medical Director. It increases their ability to be able to get it and in larger quantities. They also need copies of the Medical Director's Board of Registration in Medicine License and Massachusetts Controlled Substances Registration. (MCSR) Police Officer Williams is the Infection Control Officer who handles this.

Financial Statement:

The Financial Statement is enclosed for the Board's review.

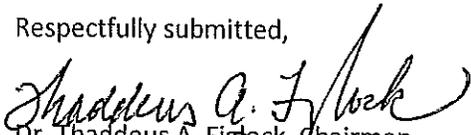
Schedule Next Monthly Board Meeting:

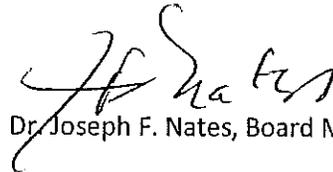
The next monthly Board Meeting is scheduled for June 7, 2016 at 12:00 noon.

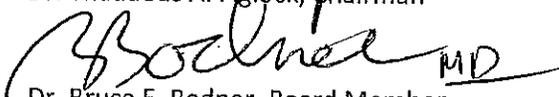
The Site Assignment Hearing will be scheduled and held following the regular meeting, approximately at 1:00 p.m.

Meeting adjourned.

Respectfully submitted,


Dr. Thaddeus A. Figlock, Chairman


Dr. Joseph F. Nates, Board Member


Dr. Bruce E. Bodner, Board Member