



**Town of West Boylston**  
140 Worcester Street, West Boylston, Massachusetts 01583

## **The Board of Health Meeting Minutes**

<b>Date / Time / Location of Meeting</b>		05-09-2018 / 6pm / Room 127
<b>Members Present</b>	Robert Barrell; Beverly Salate; Michaun Fowler N. Alan Harris Phil Leger and Abby Graham (CMRPHA); Mary Cleveland, Susan Tedford, and Janet Such (Wachusett Estates); Joe & Irene Peterson (ZAZA Ink)	
<b>Members NOT Present</b>		
<b>Guests</b>		
<b>Welcome – Call to Order</b>		Time: 6:01pm
<b>Approval of Previous Minutes</b>		March 2018 were signed (approved at April 2018 meeting with minor corrections. April 2018 minutes were reviewed.
	<b>Motion Originator</b>	Ms. Salate
	<b>Motion Seconded</b>	Ms. Fowler
	<b>Result</b>	April 2018 minutes were approved 3-0 with two corrections needed; will be signed at June 2018 meeting.
<b>Bill Approval – Financial Report</b>		Bills (2) were reviewed and signed off on (Ms. Fowler) Ms. Lee reported the Revolving Fund Balance. Mr. Barrell noted that the Town was requesting information about our Revolving Fund, and he will be addressing that. Also, the members present signed the Authorized Signature Sheet for the Accounting office.
	<b>Motion to Accept</b>	Ms. Fowler
	<b>Seconded</b>	Ms. Salate
	<b>Result</b>	Bill payment and report approved 3-0
<b>NEW BUSINESS</b>		
	<ul style="list-style-type: none"><li>Wachusett Estates Pool Permit</li></ul>	Wachusett Estates Association representatives attended to address the requirements to update their pool fence before they open the pool this season.
	<b>Discussion</b>	The Association representatives wanted clarification of the requirements and were requesting that they be allowed to open the pool this season while they get a consensus from their residents regarding funding the project as well as quotes from contractors for the work, and be allowed to complete the work after the season. They acknowledged they did receive a letter last year from Michael Mendez, to upgrade the fence per the current law and codes before this season, but asked for forbearance because the previous Association chair never addressed it and the new chairperson is running into difficulties to get the work done before the season starts. There were several other arguments made by the Association, including that they had never had an accident with the current fencing, and

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that the letter did not indicate a different size of chain-link would be required (they were informed of this by the fence contractor they consulted), in addition to being told by the contractor that they could not start work for at least a month. The Board acknowledged their concerns, however noted that because this is a safety issue, they could not make an allowance to open the pool without the upgrade to the fencing. Mr. Barrell, Mr. Leger, and another guest also provided names of other fence contractors who would likely be able to perform the work in a timelier manner. Another issue addressed in the letter was need to paint a line on the bottom of the pool to delineate the deep end from the shallow end. There was some question around what was required for a pool with a liner as opposed to a tiled or painted pool; they currently have a rope with floaters for this purpose.

**Result** Mr. Leger clarified the fence requirements, including that a chain link fence must be six feet in height, have maximum 1-3/4 inch openings, and meet the relative gate and distance from ground requirements. He also went over the option of stockade fencing, however it was noted that this might create a conflict with the corresponding gate requirements. All present Board members voiced agreement that the safety issue overrode any request for forbearance and no permit will be issued for the pool until the fencing meets law and code requirements. Mr. Leger recommended that the Association and their contractor coordinate with the Building Commissioner. Mr. Leger will look into what is required to mark a lined pool for water depth delineation. He indicated that if painting is required, it may be done the next time the pool is drained for maintenance. He offered to be of assistance to the Association if needed.

#### **NEW BUSINESS**

- **ZAZA Ink – Ear piercing for children**

Joe and Irene Peterson are requesting review of the Body Art Regulation that addresses piercing the lobes of children under 14 years of age.

**Discussion** The Petersons expressed concern that the current regulations requiring a piercing tool and earring studs be used to pierce the earlobes of children under age 14, is actually not as sanitary or as safe as using a single use sterilized needle and hoop earrings. They brought in two different tools, to demonstrate how they cannot be adequately sterilized, create trauma to tissue, and are not as accurate. They note repeated complaints from potential customers who want to pierce the earlobes of their children, and do not wish to use the piercing tool, so have to go to Worcester, where the regulations allow the procedure they prefer. They also submitted a newspaper article that supports their concerns. They noted that use of the piercing tool requires no training or oversight and this increases the chance of infection. They have been refusing to pierce children's earlobes because they decline to use the tool. They are requesting the regulations be amended to the previous version regarding this particular issue. Board members expressed that this may be a sensible change.

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**Result** Ms. Lee will ask Worcester for a copy of their regulations to review and the Board will address this at the June meeting. The Board assured the Petersons they will be seriously considering their concern and request.

**NEXT TOPIC**

- **CMRPHA Local Report**

**Discussion** Ms. Graham reported 15 Routine Inspections, two re-inspections, five Tobacco related inspections, and five complaint updates.

- Of the 15 routine inspections, only four had issues. AJ's Pizza's cooler was too warm and their warming table too cool – they resolved this and Ms. Graham noted they were wearing gloves, which had been a repeat issue in the past; Subway had a leaking cooler which they repaired; Woodward Day School's food warmer temperature was too low, and was corrected. Finder's Pub had their monthly routine inspection – some juice had been left out all day, the dishwasher in the bar was not sanitizing, there were some broken floor tiles. Re-inspections - Brown Rice's dishwasher was repaired and AJ's Pizza is meeting food protection requirements.
- Of the five Tobacco inspections, two were in violation of the minimum price regulation, Choice Smoke Shop and Shell.
- Complaint updates: Finder's Pub cleaned up their dumpster area and there is still no evidence of rodent or insect infestation. A food-borne illness report was received by Worcester from MA DPH referencing three restaurants, one of which was Gerardo's; environmental inspection was conducted but no critical violation was found. 578 Prospect was a complaint from a neighbor who was concerned the mobile home on the property was not safe to live in; since no one is currently living there, the case was closed. 118 Maple Street was inspected and letters were sent to the owner to correct noted problems. 68 Newton was inspected and letters were sent to the owner to correct noted problems.

**NEXT TOPIC**

- **CMRPHA Regional Report**

**Discussion** Mr. Leger gave an abbreviated report, highlighting items in the May CMRPHA update. Of note is a new Recreational Camp Code and that Holden, Grafton, and West Boylston have renewed their IMAs with Worcester.  
In addition, with IMA approved by the Board of Selectmen, West Boylston will begin contract with Worcester to provide Title 5 services on July 1, 2018.

**NEXT TOPIC**

- **Office Report**

**Title 5 Projects** 385 Lancaster – Curtis Septic came in to pick up the Construction Permit was unaware of the Cease and Desist order; the Building Commissioner is waiting for feedback on the foundation condition from an Architect.  
58 Prescott – no update

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	307 Lancaster – no update
	228 Lancaster – no update
	8 Nuha – As-builts approved by Finlay, signed off by Mr. Barrell due to closing scheduled for 05-09-18
	27 Malden – Completed As-builts need to be submitted to Finlay for Certificate of Compliance
Sewer/Septic Abandonment	81 Pine Arden Drive – the Town did not approve assisting owner with cost of grinder pump, so at this time there is no update.
Other/Miscellaneous	<ul style="list-style-type: none"> <li>- 214 Prescott Street Well – Seller provided Arsenic filtration system, so prospective owner did purchase the home.</li> <li>- Septage Permits – “Pumping slips” – No town regulations found to require purchase by haulers. State requires reporting and has form for this purpose available online from DEP.</li> <li>- Mr. Barrell noted that the Board needs to review all regulations for relevance and accuracy, and update accordingly.</li> </ul>
Permits/Fees	<ul style="list-style-type: none"> <li>- West Boylston Little League Snack Shack – permit issued, limited to pre-packaged food and drink; sent note with permit to observe hand sanitation – use and provide hand sanitizer.</li> <li>- Woodward Day School – Fire Chief satisfied concerns addressed; Building Commissioner said no issue with issue of permit as his concern was with building owner. Missing paperwork was submitted and permit issued.</li> <li>- DWI Permits – Diverdi Builders and David Babcock/Vegas Builders (also fined for operating without a permit).</li> <li>- Sterling Meadows Condominiums Pool Permit issued.</li> <li>- Temporary permits issued for PTA end of School event 06-15-18 – Anzios, Jerry’s Soft-serve, and the Dogfather.</li> <li>- Living Well ADHC – new owners will be submitting application for new Food Service Permit</li> </ul>
Tobacco Violation update	- Xpress Stop reports they submitted a check to the Town Clerk, however the check cannot be found. Mr. Barrell and Ms. Lee to follow-up
Office Organization	- Card file ongoing; some problems with Municipity
Webpage Postings	- Ms. Lee notified the Board that with our IT person Karen Pare leaving in June, she will be required to maintain the Board webpage. She will continue to consult the Board with any other than routine changes.

#### **OLD BUSINESS**

- **Substance Abuse Committee update**  
Discussion Ms. Salate reports no updates. Next meeting is 05-10-18. She will explore whether the committee will take a position on the Recreational Marijuana issue.  
Ms. Fowler reports she has completed training to train others in Suicide Prevention.
- **Sharps Disposal update**  
Discussion The Police Department has signed a contract to purchase and install the Sharps Kiosk, as well as pay for the disposal fees.
- **Recreational Marijuana update**

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Discussion	Mr. Barrell informed the other members that he was asked by the Zoning Board whether the Board of Health will take a position on Recreational Marijuana. Ms. Salate and Ms. Fowler declined to take a position. Mr. Barrell suggested we draft a Moratorium requesting time to complete the Zoning process. Both Ms. Salate and Ms. Fowler support the Moratorium.
Motion Originator	Ms. Salate
Motion Seconded	Ms. Fowler
Result	Support for Moratorium Approved 3-0

#### OTHER ITEMS

- Celia Hartigan 20 year recognition

Discussion	The Board expressed the desire to officially recognize Ms. Hartigan's 20 years of service with the Board. Mr. Barrell will look into how she may be recognized by the Town. Mr. Barrell and Ms. Lee will look into purchasing a plaque to present to her.
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- Administrative Assistant six month probation

Discussion	Ms. Lee completed six months of employment on March 1, 2018. Board members decided to vote that she has successfully completed her probation period.
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Motion Originator	Ms. Fowler
Motion Seconded	Ms. Salate
Result	Approved 3-0. Mr. Barrell will follow up with any required paperwork.

#### MOTION TO ADJOURN

Motion Originator	Ms. Salate
Motion Seconded	Ms. Fowler
Result	Approved 3-0
Time of Adjournment	7:52pm

#### Signatures

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Robert J. Barrell, MPA, Chairman

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N. Alan Harris, MD, Vice Chairman

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Beverly A. Salate, RN, BSN

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Michaun Fowler

Submitted by: **Margaret Lee**  
Date Submitted: **06-13-2018**

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