

HAMILTON BOARD OF HEALTH

WEDNESDAY, AUGUST 24, 2016

Present: Board of Health members: Lindle Willnow, Susan Wilfahrt, Health Agent Leslie Whelan

Meeting Opened: Lindle Willnow called the meeting to order at 7:03 p.m. at Hamilton Senior Center

Hearing continued – 265 Cutler Road – Keeping of Animals Permit – Minimum Standard for Keeping of Animals Regulation 12

The Board discussed with Lane Chase how he is still waiting for a water test to be done at his property. He referred to drawing of his property that illustrates 9,570 sf of wetland and additional 30 by 60 foot wetland area. Chase was asked to mark up the drawing so the property lines and other lines on the lot (i.e., gravel pit, manure storage, paddocks) can be identified, and so calculations can be checked by Town officials including the Conservation Agent during a site visit. Chase will provide a copy of the drawing and the water sampling results to the Health Department.

Items that Chase has been tasked to complete include:

1. Suitable land for keeping of horses has to be defined in drawing (i.e., drainage class of soil)
2. Edge of wetland has to be delineated so Conservation Agent Jim Hankin can review
3. A written request for variance for well that is 5' from stable rather than required 100'
4. Water sample collected by a professional organization and tested for bacteria

The hearing was continued to the Board's next meeting on September 28th.

Discussion – Policies for Food Establishment Inspections and Fees

The Board spoke with Joan Begonis-Wolkin, operations manager at Asbury Grove, who is Serve Safe certified. The policies sent to food establishments described inspection and re-inspection process when violations are identified and fines imposed when additional re-inspections are conducted. Representatives from food establishments can appear before the Board if there is a dispute about violations identified. The Board has not received any other feedback from food establishments on the policies.

Willnow moved for the Board of Health to adopt the "Policy on Food Establishment Re-Inspection Fees and Probationary Inspection Frequency". Wilfahrt seconded the motion. VOTE: Unanimous.

Discussion – 27 Asbury Avenue – Rubbish Order and Removal of Nuisance by the Board

Begonis-Wolkin reported to the Board that the abutter to 27 Asbury Avenue wanted to get his septic system pumped and could not due to rubbish on his septic tank from the 27 Asbury Avenue residence. Discussion ensued about the pile of rubbish (i.e., mattress, couch, lawn mowers, bicycles, and toys which are often covered with a tarp) located at 27 Asbury Avenue in Asbury Grove.

Begonis-Wolkin described how the Asbury Grove Meeting Corporation provides dumpsters at the Corporation site that residents fill with unwanted material stored under cottages. The 27 Asbury Avenue residents have not availed themselves of the dumpsters to remove rubbish at their property. The land at Asbury Grove Meeting Corporation belongs to the corporation while residents own their houses.

Mass. General Law, Chapter 111, Section 125 allows Boards of Health to hire someone to perform the clean-up order and charge a property owner for the removal cost. If the charge for removal is not paid by the homeowner, then this cost is put on the property owner's tax record. If the rubbish to be removed from the 27 Asbury Avenue site by a contractor hired by the Town is put in an Asbury Grove dumpster the disposal/labor cost would be a lot less for the homeowner.

Begonis-Wolkin noted that neighbors would like the 27 Asbury Avenue site cleaned up and she reiterated that the abutter wants septic tank pumped. She suggested a Hamilton police officer accompany the rubbish removal company to make the process more official when the Town has rubbish removed at 27 Asbury Avenue. The expense for the officer will be paid for by the homeowner. Begonis-Wolkin will coordinate with the Health Department as to what dumpster at the Grove has space when the rubbish contractor comes to do the removal at 27 Asbury Avenue.

The Board of Health will send a letter on August 26, 2016 to the 27 Asbury Avenue residents. It will note failure to comply with Order of the Board of Health outlined in May 6, 2016 letter to homeowner regarding public health nuisance rubbish storage.

Discussion – Mosquito Control Update

A notice about preventive measures associated with mosquitoes was submitted by Health Department Administrative Assistant Nancy Stevens and printed in Salem News.

Discussion – Municipal Classification Study – Administrative Assistant

Town Manager Michael Lombardo is planning to meet with union representatives for the Administrative Assistants union in early September. He is going to hire another consultant to look at how the Administrative Assistants have classified their positions. The original classification study done by the previous consultant put all of these positions together and gave them the same grade which is not the case.

Discussion – Board of Health Member Vacancy

There still remains a vacancy on the Board of Health. Information on the vacancy could be handed out during the Health Department's flu clinics. Stevens has suggested putting a blurb about the vacancy in the newspaper. A notice will be put on the Town's Facebook page.

Discussion – Health Agent update

Lindle Willnow moved to amend the agenda to add a Health Agent update. Susan Wilfahrt seconded the motion. VOTE: Unanimous.

Discussion was on how the public health nurse is amending the tuberculosis regulations. Permission is being sought from Town Manager Michael Lombardo for Chris Lee to contact Town Counsel Donna Brewer regarding the amendment.

Also, during the food inspector's visits she notes if food establishments are complying with the Styrofoam and plastic bags by-law. Cumberland Farms has not been complying and the local manager stated to the food inspector that the Attorney General has not approved the by-law, and he questioned whether the retail organization received notification of the by-law implementation. The Cumberland Farms district manager has complained to Lombardo about the matter. The Town manager, Director of Planning and Inspections Patrick Reffett, and Health Agent Leslie Whelan met on the matter. Reffett and Whelan are going to meet with Food Inspector Roberta Cody who will document the Cumberland Farms incident. Subsequent to the complaint, the district manager is working with Cody.

On another matter, Cody will be notifying the pools that she inspects for Hamilton that lifeguards should wear all red clothing not just red guard shirts.

Review – Minutes dated August 2, 2016

Willnow moved to approve the minutes as amended. Wilfahrt seconded the motion.
VOTE: Unanimous.

Meeting Adjourned:

Willnow moved at 8:02 p.m. to adjourn. Wilfahrt seconded motion. VOTE: Unanimous.
The Board's next meeting will be on Wednesday, September 28 at the Senior Center.

ATTEST:

cc: Selectmen, Planning Board, Town Clerk, Conservation