

TOWN OF WINCHENDON



BOARD OF HEALTH

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109 Front Street, Department 5
Winchendon, Massachusetts 01475-1758

MEETING MINUTES BOARD OF HEALTH May 2, 2016

MEMBERS PRESENT: Jason Moury, Chairman Lionel Cloutier, Diane Cosentino, Edward Bond and Jason Gauthier,

MATERIALS: Meeting Agenda May 2, 2016
Minutes March 7, 2016 and March 14, 2016
Permits
Invoice

CALL TO ORDER: 7:02pm

PLEDGE

Jason Moury thanked everyone for attending.

PUBLIC HEARING

Proposed Tobacco Regulations-The proposed tobacco regulations were delivered to tobacco vendors and a copy was made available. The tobacco agent Joann Hamlett and D. J. Wilson Attorney came forward.

A motion to open the public hearing was made by Diane Cosentino; Jason Gauthier seconded.

MOURY(Y) CLOUTIER(Y) COSENTINO(Y) BOND(Y) GAUTHIER(Y)

D.J. Wilson said there is 54 cities and town that restrict policy on flavored and other tobacco products to adult only retailers. New retailers can not open stores within 500 feet of schools.

Joann Hamlett said the proposed regulations would limit the sale of flavored tobacco products to adult only retailers (they can't sell food). Winchendon doesn't have those stores. No negative feedbacks. Stores were notified. She said there is an open comments period until May 29th. Jason Moury encouraged the public if any comment please submits them. **A motion to close the public hearing was made by Jason Gauthier; Lionel Cloutier seconded.**

MOURY(Y) CLOUTIER(Y) COSENTINO(Y) BOND(Y) GAUTHIER(Y)

The public hearing was closed at 7:13 p.m.

NEW BUSINESS:

Medical Marijuana Regulations: Jason Moury said this has been discussed for a couple months now. He asked a representative from the Athol Board of Health to come and discuss having medical marijuana regulations in place. The Athol Board of Health Agent JoAnn Hamlett came forward. She said we don't have regulation but we have a by law. There is a draft medical marijuana regulation but there is no indication of anyone applying in Athol. She said we have the bylaw and the Board of Health regulations. Jason Gauthier asked if medical marijuana is consistent with neighboring towns. D.J. Wilson said towns can't ban them but limits can be put in place. Jason Moury said he will dispense an email to the board concerning medical marijuana regulations. He said his personal view is we implement regulations now. He said we limit licenses, hours, and signage. We would have penalties if not in compliance. D.J. Wilson said this would help shape what you want. Jason Moury we want residents protected in town. They were thanked for attending the meeting.

Underground Storage by-law: Jason Moury said the Health Agent informed him that the bylaw committee convened and is up for review. He said the typical fashion is you get a Fire Department permit. He said if it's the board's pleasure we can amend the bylaw to have enforcement and reporting go to the Fire Department. He said we have a form to fill in, the Health Agent does follow ups. Lionel Cloutier said we don't have paperwork showing us where the tanks are but the state says we have to have a law to keep track of them. He said he would like it to be jointly working with the Fire Department. He said that's the only way to find out where they are. Jason Moury said he spoke to the Fire Chief and he said records are mixed in. Lionel Cloutier said he's sure during the summer we can find people doing community time to help out. Jason Gauthier said we can speak to Chief Smith and the Health Agent.

Kinder Morgan Pipeline: Jason Gauthier said due to funding issues they have decided not to go forward with the pipeline project. He said we need to be careful because another company could be doing the same project. He said the best action is not move any further along and not take any action. **A motion was made by Edward Bond to table Kinder Morgan Pipeline ban; Diane Cosentino seconded.**

MOURY(Y) CLOUTIER(Y) COSENTINO(Y) BOND(Y) GAUTHIER(Y)

60 Franklin Street: Jason Moury said there have been recent inspections and inquiries in town to look at 60 Franklin Street. He said there is considerable amount of waste. The Health Agent and Jason Moury sent letters to the land owner. The land owner said he would clean up the debris. Jason Gauthier said the land owner said it was illegal dumping and he reported it to the Police. Jason Moury said he would keep an eye on it. He said it looks like its construction debris and shingles. He said the landowner quickly responded. He said he would give an update next month. Lionel Cloutier said he received a call that what was going on at 50 Franklin Street was also going on at 60 Franklin Street. He said it was reported to the Board of Health and the Conservation Commission.

OLD BUSINESS:

41 Juniper Street: Jason Moury said this has been under review for some time. The house has rubbish build up. The Building Commissioner has told them to take the garage down. He said the Town has moved forward with legal action. One problem is we can't get in touch with the landowner. He said he asked the Health Agent for an update and he said we had a change in counsel who started the process all over. Jason Moury said he drove by and the trash is still there. He said it's a prime location for rodents. He said residents have been very patient with us. Lionel Cloutier said it's been three years. Jason Moury said we can ask if the Health Agent needs assistance and we can ask the Town Manger to help us. Edward Bond said we can draft a letter to the Board of Selectmen.

50 Franklin Street: Jason Moury said last week he went with the Health Agent and a representative from Mass DEP to 50 Franklin Street. He said it is vastly cleaned up from what it was. He said the piles haven't grown. He said Mass DEP representative took inventory of the trash containers. He said Mr. Bator has expressed hardship. He is trying to sell. Jason Moury said the timeline is the end of July to have all wood material off the property. He said we received a letter from the Winchendon Housing Authority concerning this property. He read the letter. **A motion was made by Edward Bond to issue a response letter to the Winchendon Housing Authority; Jason Gauthier seconded.**

MOURY(Y) CLOUTIER(Y) COSENTINO(Y) BOND(Y) GAUTHIER(Y)
Diane Cosentino said she would like to see pictures of the property. Jason Moury said we can ask Mr. Bator if we can visit the property. Rick Lucier came forward. Mr. Lucier said it's not just wood sitting there. He said to test a sample for formaldehyde. Edward Bond said there was a big fire there. Jason Moury said the wood he was chipping he shouldn't have been chipping. He said the wood was painted wood. He said the wood is of concern. He said he believes the state has dropped the ball.

Fee Schedule:

The board proposed update of the fee schedule to add a fee for Animal Health Inspections of \$30.00. They also reviewed a fee of \$50.00 for Title 5 file review which is an average charge.

Lionel Cloutier said nowhere in the paperwork do we have a penalty for not filing paperwork. He said we should have a statement saying the Winchendon Board of Health will double the fee if no permit prior to work being done. He said that would be across the board. Jason Moury said it's under the building commissioner and the Board of Selectmen. He said that's not under the jurisdiction of the Board of Health. Chairman Cloutier said under state law we are to make the building safe to make sure no one gets hurt. Jason Moury said personally he doesn't know what the process is for condemning a building. Selectwoman Anderson came forward and said the Board of Selectmen asked the Fire Chief who would be working with the Building Commissioner to come up with a policy. She said someone is going to get hurt. She said her understanding from Mr. Hickey is if we aren't doing due diligence and someone gets hurt they could come after the town. Jason Gauthier recommended going to the Health Agent or asking neighboring communities what we can do. He said we could ask if it falls under the Board of Health. **A motion to accept the fee schedule as presented with potential double fees was made by Jason Gauthier; Chairman Cloutier seconded.**

MOURY(Y) CLOUTIER(Y) COSENTINO(Y) BOND(Y) GAUTHIER(Y)

Montachusett Regional Health Network: Jason Moury said \$500 is added which is proposed to pay for this. He encouraged residents to go to the Town Meeting on May 16th.

Earth Day: Jason Moury said he would like to publicly thank everyone who volunteered. They also wanted to thank Cumberland Farms, The Winchendon Courier, Bellettes and The Winchendon School. He said it was very successful. He said we had a fourteen yard dumpster. He said a lot of people picked up their streets. The board discussed poop n scoop.

Permits:

A motion was made by Diane Cosentino to approve the food permit #1614 for Broadview Assisted Living; Jason Gauthier seconded.

MOURY(Y) CLOUTIER(Y) COSENTINO(Y) BOND(Y) GAUTHIER(Y)

A motion was made by Lionel Cloutier to approve the food permit #1615 for Lucky Dragon; Diane Cosentino seconded.

MOURY(Y) CLOUTIER(Y) COSENTINO(Y) BOND(Y) GAUTHIER(Y)

A motion was made by Edward Bond to approve the food permit #1616 for Gourmet Donut; Diane Cosentino seconded. Diane Cosentino said she encourages Gourmet Donut to look at their parking. She said it's a safety issue.

MOURY(Y) CLOUTIER(Y) COSENTINO(Y) BOND(Y) GAUTHIER(Y)

A motion was made by Lionel Cloutier to approve the food permit #1617 for Unitarian Universalist Church of Winchendon; Jason Gauthier seconded.

MOURY(Y) CLOUTIER(Y) COSENTINO(Y) BOND(Y) GAUTHIER(Y)

A motion was made by Lionel Cloutier to approve the food permit #1618 for McDonald's; Diane Cosentino seconded.

MOURY(Y) CLOUTIER(Y) COSENTINO(Y) BOND(Y) GAUTHIER(Y)

A motion was made by Jason Gauthier to approve the food permit #1619 for Immaculate Heart of Mary Church for the Strawberry Festival; Lionel Cloutier seconded.

MOURY(Y) CLOUTIER(Y) COSENTINO(Y) BOND(Y) GAUTHIER(Y)

A motion was made by Edward Bond to approve the food permit #1620 for Murdock Farm Dairy Bar; Diane Cosentino seconded.

MOURY(Y) CLOUTIER(Y) COSENTINO(Y) BOND(Y) GAUTHIER(Y)

A motion was made by Lionel Cloutier to approve the Chemical Toilet Permit for the Clark YMCA Memorial; Jason Gauthier seconded.

MOURY(Y) CLOUTIER(Y) COSENTINO(Y) BOND(Y) GAUTHIER(Y)

INVOICES: Jason Moury said the GVNA hasn't given an update since March 21st. This update has 3 new Hep C, 2 Diseases Mumps and 9 people at a blood clinic. Diane Cosentino said the flu hit our area late. She said she can't recall it being as severe as it has been. She said it's important to get a flu shot. **A motion was made by Lionel Cloutier to approve GVNA quarterly invoice for \$2,125; Jason Gauthier seconded.**

MOURY(Y) CLOUTIER(Y) COSENTINO(Y) BOND(Y) GAUTHIER(Y)

A motion was made by Edward Bond to approve a pay James Abare \$75.00 for Title V certification; Jason Gauthier seconded.

MOURY(Y) CLOUTIER(Y) COSENTINO(Y) BOND(Y) GAUTHIER(Y)

A motion was made by Lionel Cloutier to pay James Abare \$384.00 for in town mileage; Diane Cosentino seconded.

MOURY(Y) CLOUTIER(Y) COSENTINO(Y) BOND(Y) GAUTHIER(Y)

A motion was made by Jason Gauthier to pay James Abare \$193.04 for out of town mileage and conferences; Diane Cosentino seconded.

MOURY(Y) CLOUTIER(Y) COSENTINO(Y) BOND(Y) GAUTHIER(Y)

A motion was made by Jason Gauthier to reimburse James Abare \$21.99 for supplies purchased from CVS for Earth Day/ Diane Cosentino seconded.

MOURY(Y) CLOUTIER(Y) COSENTINO(Y) BOND(Y) GAUTHIER(Y)

A motion was made by Edward Bond to pay the Recording Secretary \$75.00 for meeting minutes; Diane Cosentino seconded.

MOURY(Y) CLOUTIER(Y) COSENTINO(Y) BOND(Y) GAUTHIER(Y)

A motion was made by Edward Bond to pay The Gardner News \$60.76; Jason Gauthier seconded.

MOURY(Y) CLOUTIER(Y) COSENTINO(Y) BOND(Y) GAUTHIER(Y)

MINUTES:

A motion was made by Jason Gauthier to approve the meeting minutes of March 7, 2016; Lionel Cloutier seconded.

MOURY(A) CLOUTIER(Y) COSENTINO(Y) BOND(A) GAUTHIER(Y)

A motion was made by Diane Cosentino to approve the meeting minutes of Mary 14, 2016; Jason Gauthier seconded.

MOURY(Y) CLOUTIER(A) COSENTINO(Y) BOND(Y) GAUTHIER(Y)

MEMBERS COMMENTS: Lionel Cloutier said the bike trail needs help with disposal of dog poop. He thanked everyone with their efforts.

PUBLIC COMMENTS: None

CALL TO ADJOURN: A motion to adjourn was made by Lionel Cloutier. The motion was seconded by Jason Gauthier.

CLOUTIER(Y) BOND(Y) COSENTINO(Y) GAUTHIER(Y)

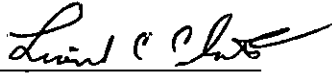
The meeting was adjourned at 7:51 p.m.

Respectfully submitted;

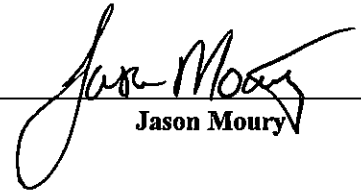


Debra Dennis Board of Health Secretary

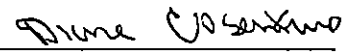

Minutes Approved July 6, 2016



Chairman Lionel Cloutier



Jason Moury


Edward Bond
Diane Cosentino