

# Board of Health Meeting Minutes

March 6, 2014

Present: Rich Maccagnano, Karen McManamon and Ann McCobb. Eric Dickinson absent.  
Karen called the meeting to order at 7:00 p.m.

## Public Comment

Matt Ward, 41 Church Street, expressed concern about a failed septic system next door at 49 Church Street. He was particularly concerned because it is a rental unit and the owner, whom he had been in communication with, doesn't live there. The septic system is one foot off his property line and Matt is worried about the health risk for his children, who play nearby. In addition, he has chickens in the yard, and he wonders about the impact on the eggs which they eat.

Ann interjected that one owner does live in one of the 2 rental units. And there is a valid permit for the system upgrade, so the system upgrade can commence when the weather allows. Matt said the owner indicated that the financing of a new system has been an issue. Karen said the Board couldn't address 49 Church Street without an owner present, but the Board will do everything in their powers to limit any health risk to Matt and his family.

Matt said the system overflows regularly. Ann has witnessed this unsanitary condition. Ann has an enforceable option to require the owner pump the system to abate the sewer overflow as necessary. Rich suggested Matt call the Board anytime he sees an overflow, and the Board can require pumping as needed until the septic system is upgraded. The Board thanked Matt for coming in.

## Approval of Minutes

**A motion was made by Karen and seconded by Rich to approve the 2/20/14 meeting minutes. All in favor.**

## Approval of Bills

The following bill was approved and signed:

Professional Development, MHOA/Mass DEP – Ann McCobb      \$110.00

## Health Director's Report

**Tight Tanks:** Ann discussed some of what was presented at the professional development seminars. Dave Boyer from the DEP mentioned that tight tanks were now permitted for the concession stands on municipal property.

**64 Central Street** has had a change of ownership generating a Title 5 inspection. This is a dry cleaner business and local regulations require septic tank analysis. John Staples, DEP, would be willing to come out and get the new owner on a schedule for annual DEP requirements. The DEP wants to be kept abreast of the progress. The Board reviewed the letter that Ann wrote to the new owner stating that the Title 5 report is overdue. The Board asked Ann to request the required testing be done within 2 weeks.

**Local Food Regulations:** Len Izzo, food inspector, gave the Board copies of his local food regulations for Wellesley, and wording for a regulation for pre-opening deliveries to food establishments. The Board reviewed the documents and discussed the benefits and impact of implementing a food regulation in Holliston:

- Rich liked that a wash sink or bathroom be available at food establishments, but said that wasn't an easy addition in a town with 100% septic systems.
- The Board liked the wording "that a re-inspection fee of \$25 *may be* enforced," allowing this option to be at the Board's discretion; to give a one-time offender a chance to make a correction versus a repeat offender.
- Some of the items in the Wellesley food regulation are now covered in the State code.
- The grease trap intercept is in the plumbing code and the Board wouldn't want to duplicate the requirement in the food regulation.
- The Manager Certification regulation, requiring a Serve-Safe certified person to be "normally on site," was discussed and deemed important. It is more critical in food establishments where there is potentially hazardous foods.
- The tobacco regulations in the Wellesley food regulations are not necessary for Holliston since we already have tobacco regulations. Len also told us that Wellesley just voted to raise their age for tobacco sale minimum from 18 to 21 year old.
- Len offered the following wording for the proposed pre-opening regulation:
  - "All full service food services are required to have an approved written contingency plan on file at the Health Department regarding the deliveries of food and food related products which occur outside of normal operating hours. Submitted plans will be reviewed and either approved or returned for revisions, and shall address the protection of such deliveries from exposure to the elements, rodents, animal and environmental conditions. Existing permittees must meet compliance within 3 months of passage of this regulation. All new permittees are required to have an approved plan prior to any permit to operate being issued."
- Dumpster regulations were discussed and outlined three requirements:
  - Nothing on area around dumpster
  - Dumpster lid closed
  - Dumpster odor abated
- Grease container regulations were discussed and the following proposed:
  - No round grease containers (grease barrels)
  - Square grease vaults, with a lid, to be used
  - Establishments with barrels have 6 months to replace with square grease vaults
- Cleaning of grease vents was discussed. Cleaning requirements are in the fire code already. The grease vents should be cleaned every 6 months or as needed. Jing's and Table Top have 2 sets of filters and a cleaning service comes regularly and exchanges the dirty filters for newly cleaned filters. This has the advantage that the filters are cleaned off-site.
- The Board will notify the food establishments that they will be drafting a local food regulation at their next meeting on March 20<sup>th</sup>. Their input could be helpful in drafting the regulations. Len will attend this meeting.

Len left a message for John Tracy, the new owner of Pejamajo's. John was the food manager for Pejamajo's before closing. Len doesn't know any timing of the opening, but John said café format would open basically the same as before.

**Bill Mayer**, town counsel, entered the meeting to discuss the Board's request for the proper wording regarding the recent tight tank revision to Title 5 as it applies to the high school concession stand

under construction. The Board wants to be sure the application wording doesn't raise red flags at the DEP. The State still maintains control of the school properties.

In 2009, the Holliston Athletic Booster Association, HABA, submitted a request to the Board of Health for a concession stand which was a ticket booth with some dry storage area, with no water capabilities. HABA wants this new concession stand to have toilets. The State wrote the tight tank revision at the request of the Holliston BOH, but it doesn't specify use.

Rich cautioned that the wording not affect the original high school septic variance granted the high school, based on water usage and school population. In addition, Rich wants to limit the use of toilets at the concession stand to school sponsored events. Adding toilet capabilities to the high school sports field shouldn't become a draw to benefit for-profit events such as the carnival.

The plumbing code will dictate the size of the tank for the stadium based on Title 5 and the food code. The pumping of the tank will be paid for by the school and hence the taxpayers. The use of the concession stand should have seasonal dates explicitly stated.

Bill said he would generate wording to help guide the process of getting tight tanks at the HS concession stand that include septic, but limit use to only school sanctioned activities.

**41 Pleasant Street:** Bill Mayer inquired about the progress of the septic upgrade at 41 Pleasant Street. Ann told him that N-Star has done their work but the wiring was not connected. Bill will follow up with this.

#### **Health Director's Report** continued

**250 Marked Tree:** Paul Saulnier, the engineer for the septic system upgrade at 250 Marked Tree, was present. Paul required a sieve analysis on his engineering plan. Ann outlined the timing for the septic system upgrade over the past 2 years. The Health Department received the final paperwork, the sieve analysis on 2/11/14, even though the installation work had been done in 2012. Then on 3/5/14 we received a new sieve analysis dated 6/12/12, in hopes that the Certificate of Compliance could be pre-dated 2013 for the owner to begin to get his tax credit starting in 2013.

Paul verified that the newly submitted sieve analysis was acceptable. He said he had included the sieve analysis condition on his engineering plan because some town require it. It was intended to force the installers to include the \$75 sieve analysis cost in their bid to the owners rather than have the owners pay for it. In the future Paul will stop putting the sieve analysis requirement on his septic upgrade plans.

Paul said he would send a letter to the Board stating that he is satisfied that the newly submitted 2012 sieve analysis is appropriate. The Board said that when they get Paul's letter they will issue the Certificate of Compliance dated 2014. It was the owner's responsibility to insure the completion of the requirements in 2013. The Board cannot bend the rules when the final required paperwork arrives 3 months into a new year.

**Covanta Compliance Officer:** Brian Moran, the Covanta Compliance Officer, explained that his company Norfolk Ram would be acquired soon by Fay, Spofford & Thorndike, FST. FST would be taking on all of Norfolk Rams contracts. Brian assured the Board that he would continue as the Compliance Officer and the cost would remain the same. The Board was pleased with Brian remaining the Compliance Officer as he did a great job. His reports were good and the relations with

Covanta were smooth. Brian said that Covanta fixed any violation he pointed out ASAP. The Board thanked Brian.

**Axton Cross:** Brian Moran agreed with the Board's concerns regarding Axton Cross. He stated that the town should have a Licensed Site Professional involved to protect the town.

**Sharps Program:** The Sharps Disposal Program is temporarily suspended since the host, Holliston Family Pharmacy, is no longer in business in town. Ann sent an email to town departments who would need to know that information. Ann is in communication with the other pharmacy in town, CVS, to see if they would become the new location for the Sharps Disposal Program. CVS currently has a contract with Stericycle to remove their flu clinic sharps. The CVS manager said he needs to talk with his district manager.

The other Sharps Disposal Program option is to use the grant from Republic that Paul LeBeau has for getting a kiosk. But that would require getting a secure location for the kiosk, and setting up maintenance and removal services. The Board is committed to continuing with the Sharps Disposal Program.

**Finance Committee:** The FinCom had no objections to the Board of Health's budget presented to them on Tuesday, March 4<sup>th</sup>. They did ask if the Board has looked at their fee schedule to see if they should increase fees. Ann passed out our fee schedule and a table comparing the fees from surrounding towns. Hopkinton charges \$50 for any Title 5 report submitted. Last year 148 T5 reports were submitted. The Board should let Ann know if they want to modify the fee schedule.

**Agent – Inspector Position:** The Board had asked Ann to address the replacement consulting Septic Inspector. Ann handed out a packet to the Board that included the job descriptions and staffing at surrounding towns.

Westboro has a Health Director and Health Agent. Weston, called a Holliston comparable by Stone Consulting, has 2 fulltime people: a Health Director and an Agent. Hopkinton has Brian Besso as a consultant. Sharon is comparable to Holliston in size and demographic; all of their Title 5 work is done by a full time DPW person.

The Board needs to develop a succession plan. Ann's current job description from 2006 needs to be up-to-date. Westboro's health agent/inspector job posting requires a Master's Degree.

**Hoarding:** Ann shared DPH communication regarding hoarding; the publication listed the personnel who were resources to the field.

### **Board Member Comment**

None

**Rich Maccagnano motioned to adjourn the meeting. Karen seconded, and passed unanimously.**

Respectfully submitted:  
Ann Adams, Health Department Clerk

Approval Date: 3-20-14