

The regular meeting of the Board of Health was held on Tuesday, March 28, 2017. Neil D. Paquette, Chairman; Timothy J. Fontaine, Secretary; and Elinor Kelliher, M.D., Member were present with Office Assistant Carolyn Rogowski recording the minutes. The meeting was called to order at 6:00 p.m. by Mr. Paquette.

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Motion made by Mr. Fontaine to appoint Elinor Kelliher, M.D. as Chairman. Dr. Kelliher feels that since she is new on the Board, she wants to attend more trainings before becoming Chair, so she declined. Motion made by Mr. Fontaine to appoint Mr. Paquette as Chairman, seconded by Dr. Kelliher. All in favor 3-0. Motion made by Dr. Kelliher to appoint Mr. Fontaine as Secretary, seconded by Mr. Paquette. All in favor 3-0. Motion made by Mr. Fontaine for all Health Inspectors, Animal Inspector, Nurses, and Office Assistants to remain the same with Dr. Kelliher seconding the motion. All in favor 3-0. Reorganization will be sent to all Town Departments.

Motion made by Dr. Kelliher, seconded by Mr. Paquette allowing Mr. Fontaine authorization to sign the weekly payroll sheets. All in favor 3-0.

Payroll schedules and bills were signed as approved by Board members. Minutes of the February 28, 2017 meeting were read by Board members. Motion made by Mr. Fontaine to accept the February 28<sup>th</sup> minutes as written, with Dr. Kelliher seconding the motion. All in favor 3-0.

Nickolas and Susan Linna came in to meet with the Board submitting the floor plan of their business, The Yogurt Mill, which will be located at 120 East Street. The former owner of this business which was called Bill's Yogurt never opened due to an ADA issue. Mr. Linna submits a Variance showing that this issue has been resolved, however the Board would like a more detailed plan. They will return at our next meeting on Thursday, April 11, 2017 at 6:15 p.m. with their floor plan.

Septic Inspector Michael Pietras came in to ask approval from the Board of making the following changes to our Well Regulations Section VI: Well Siting:

- From 15 feet to 5 feet from power line or overhead distribution line
- From 50 feet to 25 feet from any surface water, including but not limited to wetlands
- From 15 feet to 5 feet from any structure
- From 500 feet to 100 feet from any waste or stump burial sites

Motion made by Dr. Kelliher, seconded by Mr. Fontaine to make these changes 3-0.

Human Resource Carrie Ribeiro came in to meet with the Board to discuss the following items:

- Posting the Director of Nurses position: Francine Rusiecki, RN is retiring on Friday, June 2, 2017. It will be posted in house for 7 days starting Wednesday, March 29, 2017. If anyone one from in house wants to apply, the must submit a Letter of Interest and Resume. On Wednesday, April 6, 2017, it will be posted on our Town of Ludlow Website,

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Facebook and will be sent to MAPHN for posting. Ms. Ribeiro will collect all applications and then forward them to the Board.

- Job Descriptions: Ms. Rusiecki rewrote her Job Description which was accepted by the Board. The Board would also like updated Job Descriptions from Carolyn Rogowski and Francy Reyes.

Letter from Director of Nurses Francine Rusiecki, RN was read informing the Board that she is retiring on Friday, June 2, 2017.

Email from Town Clerk was read informing the Board that Violation #0196 for William Neylon, Jr. has not been paid. Certified letter will be issued reminding him of the Violation Fine and if not paid, another Fine will be issued.

The following water tests were reviewed and approved by Board members:

- Lot C-3, Ventura Street owned by Jose Alves.
- Lot 5, Lyon Street owned by Joseph Ribeiro.

Disposal Works Construction permits will be issued.

Reinspection of 290 Cady Street, 2L, conducted by Health Inspector Andrew DaCruz on March 5, 2017 at 4:00 p.m., showed all violations have been corrected.

Reinspection of 243 Winsor Street, conducted by Health Inspector Timmy Mendes on March 22, 2017 at 3:00 p.m., showed all violations have been corrected.

Inspection report due to a complaint made regarding 98 Tower Road was submitted by Inspector DaCruz. Certified letter will be sent informing property owner to remove all debris within fourteen days of receipt of this letter.

Inspection report submitted by Inspector Mendes regarding 224 Holy Cross Circle was reviewed by Board members. Inspector Mendes could not see anything of any concern in the front yard and the backyard is completely fenced in, so he was unable to see anything. He will gladly go back if the complainant will allow him on his property. Carolyn Rogowski contacted the property owner and left a message. Property owner never returned call.

The following samples taken on February 3<sup>rd</sup> and submitted by Morrell Associates were reviewed by Board members:

- Burger King #4224, 419 Center Street – Vanilla ice cream showed a Standard plate count/g of 640 and a Coliform/g count of < 1 EPCC.

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- McDonald's #3174, Milepost 60, Mass Turnpike East – Chocolate milk shake showed a Standard plate count/g of 250 EPAC and a Coliform/g count of < 1 EPCC; Vanilla ice cream showed a Standard plate count/g of < 250 EPAC and a Coliform/g count of < 1 EPCC.

The following samples taken on February 21<sup>st</sup> from McDonald's #6099, Milepost 60, 420 Center Street and submitted by Morrell Associate were reviewed by Board members:

- Chocolate milk shake showed a Standard plate count/g of 32,000 and a Coliform/g count of 33.
- Vanilla ice cream showed a Standard plate count/g of < 250 EPAC and a Coliform/g count of < 1 EPCC.

Pool reports from February 1<sup>st</sup> through February 28<sup>th</sup> submitted by Ludlow Community Center located at 91 Claudia's Way were reviewed by Board members.

Food Establishment Inspection Reports submitted by Health Inspector Andrew DaCruz were reviewed by Board members.

Water samples taken on March 7<sup>th</sup> from Lupa Zoo which is located at 62 Nash Hill Road and submitted by Quabbin Analytical Lab were reviewed by Board members.

Copy of letter to Sheriff Nicholas Cocchi, Hampden County Sheriff's Department, 626 Randall Road from the Department of Public Health, Community Sanitation Program was read by Board members regarding the inspection of the Hampden County Jail and House of Correction on February 13, 14, and 15, 2017. Environmental Analyst, CSP, BEH Scott Koczela was accompanied by Lieutenant Tomas Kalil; Sergeant Gary Trueman, EHSO; Officer James Hogan, and Community Sanitation Program Staff.

The following Food Recalls were reviewed by Board members:

- Yoke's Fresh Market Issues Voluntary Cheese Recall.
- Allergy Alert Issued in Two Massachusetts Whole Foods Market Stores for Undeclared Pecans in King Cakes.
- Lipari Foods Issues Voluntary Recall of Various Bulk and Retail Cheese Products Due to Possible Health Risk.
- Versa Marketing, Inc. Recalls Fusia Szechuan Stir Fry Because of Possible Health Risk.
- Meijer Issues Allergy Alert on Mislabeled Pre-Made Caesar Salads Mislabeled as Greek Salads sold in Meijer Deli Sections.
- Meijer Expands Recall to Include Meijer Artisan Made Natural Muenster Cheese and Pre-Made Ham Sub Sandwich Due to Possible Health Risk.

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- Evanger's Pet Food and Against the Grain Voluntarily Recalls Additional Products Out of Abundance of Caution Due to Potential Adulteration with Pentobarbital.
- The Soynut Butter Co. Recalls I.M. Healthy Original Creamy Soynut Butter Because of Possible Health Risk.
- Landies Candies Co., Inc. Issues Allergy Alert on Undeclared Peanuts on "Wegmans Milk Chocolate (Big Ear Bunny) Sucker".
- A&H Focal Inc. Issues Nationwide Recall of 29 Products Marketed as Dietary Supplements Due to the Possible Presence of Undeclared Erectile Dysfunction Ingredients.
- Vulto Creamery Issues Voluntary Recall of All Soft, Wash-Rind Raw Milk Cheeses because of Possible Health Risk.
- Whole Foods Market Recalls Cheeses from 9 Stores Because of Possible Health Risk.
- Biery Cheese Company Expands Recall of Select Cheese Due to Possible Listeria Monocytogenes Contamination.
- Gerber Issues Allergy Alert to Clarify Egg Labeling for Cheese Ravioli Past Pick-ups®
- Nonna Foods Issues Allergy Alert on Undeclared Milk in Lidia's Marinara Sauce.
- Regeneca Worldwide, a Division of Vivaceuticals, Inc. Issues a Nationwide Recall of Its Products.
- Bake-Ez Issues Allergy Alert on Undeclared (Milk) in Mantecada (Muffin).
- Dolcetta Artisan Sweets Issues Allergy Alert on Undeclared Soy and Milk in Chocolate Confections.
- Advanced Fresh Concepts Franchise Corp. Voluntarily Recalls Edamame Due to Potential Health Risk.
- Aroma Imports Inc. Recalls Nabelsi Brand Thyme Because of Possible Health Risk.
- Blue Buffalo Voluntarily Recalls One Lot of BLUE Wilderness® Rocky Mountain Recipe™ Red Meat Dinner Wet Food for Adult Dogs Due to Potential Health Risk.
- Wellpet Voluntarily Recalls a Limited Amount of One Recipe of Canned Topper for Dogs Due to Potential Elevated Levels of Naturally Occurring Beef Thyroid Hormone.
- Nutiva Voluntary Recall for Undeclared Peanuts Organic Plant Based Protein Superfood 30 Shake Vanilla Flavor.
- Eurocan Manufacturing Voluntarily Recalling Barnsdale Farms® Pig Ears Because of Possible Salmonella Health Risk.
- Riviana Foods Inc. Voluntarily Recalls Certain Manufacturing Date and UPC Number of Ronzoni® Thin Spaghetti Due to Possible Undeclared Egg Allergen.
- Nutiva Expanded Voluntary Recall for Undeclared Peanuts in All Lots of Organic Plant Based Protein Superfood 30 Shake.
- Chlorofields Recalls Asian Microgreens Because of Possible Health Risk.
- Pro Sports Club Recalls Yogurt Peanut Crunch Bar Because of Possible Health Risk.
- Allergy Alert Issued by Whole Foods Market in Hadley Massachusetts for Undeclared Walnut in Banana Chocolate Chip Muffins.

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Legal Notice – Zoning Bylaw submitted by the Planning Board was reviewed by Board members on Applicant Planning Board to add Section XI: Temporary Moratorium on the Sale and Distribution of Recreational Marijuana. Public hearing was held on Thursday, March 23, 2017 at 7:15 p.m.

Legal Notice – Zoning Change submitted by the Planning Board was reviewed by Board members on Applicant Dominic Torretti, 252 West Street (Assessors' Map 2C – Parcel 4) for a Zone Change from Agriculture to Industrial A to allow Addition of Building. Public hearing will be held on Thursday, April 13, 2017 at 7:00 p.m.

Site plan approval submitted by the Planning Board was reviewed by Board members for East Street Auto Body located at 575 East Street designed by Smith Associates Surveyors, Inc. and dated April 20, 2016 and revised February 27, 2017 with the condition that the Business Use in the chart be changed from Auto Repair to Auto Body for East Street Auto Body. The Board also approved the waiver of 7.1.5 Required Site Plan Additional Requirements: Lighting Plan; Elevation of Buildings; Signage Design; Traffic Study.

The following Change of Occupancies submitted by the Planning Board were reviewed by Board members:

- Noelle Rosato, Benzenoz Brick House Pizzeria, 206 Holyoke Street.
- Psych Care Assoc. PC to be located at 185 West Avenue.

Notice of Casualty Loss to Building regarding Maria Dacruz, 26 Dale Street was reviewed by Board members.

Copy of letter to Sandy Kudla, 100 Pine Street from Building Commissioner & Zoning Enforcement Officer Justin Larivee was read informing Ms. Kudla that she is in violation of the Town of Ludlow Zoning bylaws, 3.2 Prohibited Uses, §3.2.1, Unsightliness.

Copy of letter to Executive Director Joshua Schimmel, Springfield Water and Sewer Commission in Springfield from Drinking Water/Municipal Services, Department of Environmental Protection, Western Regional Office, 436 Dwight Street, Springfield was read by Board members regarding Springfield Water and Sewer Commission, PWS ID #1281000, Sanitary Surveys, On-Site Inspection for ½-Log Removal/Inactivation Credit.

Copy of letter to Wilbraham Board of Health, 240 Springfield Street, Wilbraham from Solid Waste Chief of Bureau of Air and Waste Daniel Hall, Department of Environmental Protection, Western Regional Office, 436 Dwight Street, Springfield was read by Board members regarding Wilbraham – SWM – Handling Facility, BWP SW 38 – Modification, Site Suitability Report, Western Recycling Handling Facility, Transmittal No. X271814, File No. 16-339-011-B.

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March 2017 Issue of Public Health Dispatch submitted by National Association of County & City Health Officials (NACCHO) were read by Board members.

NACCHO Annual 2017 submitted by National Association of County & City Health Officials was read by Board members.

Motion made by Dr. Kelliher to adjourn the meeting with Mr. Fontaine seconding the motion. All in favor 3-0.

Meeting adjourned at 9:30 p.m.

Respectfully submitted,



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Timothy J. Fontaine  
Secretary

TJF/cmr