

The regular meeting of the Board of Health was held on Tuesday, April 11, 2017. Neil D. Paquette, Chairman and Elinor Kelliher, M.D., Member were present with Office Assistant Carolyn Rogowski recording the minutes. Timothy J. Fontaine, Secretary was absent. The meeting was called to order at 6:00 p.m. by Mr. Paquette.

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Payroll schedules and bills were signed as approved by Board members. Minutes of the March 28, 2017 meeting were read by Board members. Motion made by Dr. Kelliher to accept the March 28<sup>th</sup> minutes as written, with Mr. Paquette seconding the motion. All in favor 2-0. Mr. Fontaine will sign the minutes when he comes into the office.

Nickolas Linna came in to meet with the Board submitting a more detailed floor plan of his business, The Yogurt Mill, which will be located at 120 East Street. Floor plan was approved by Board members.

Mark Rodrigues & Josh Britton came in to meet with the Board to receive approval of their new business, Vanished Valley Brewery Inc., which is located behind Europa Restaurant at 782 Center Street. They will only be bottling and selling their beer to businesses. Since there is no seating in the building, no permits are necessary from this department. However, the Board will conduct an inspection on Tuesday, April 18<sup>th</sup> at 7:00 p.m.

Jim Maken from Maken's Sliders came in for an inspection of his food truck to obtain a Mobile Server permit. The food truck will be set up at the Iron Duke Brewery on State Street on Saturday, April 22<sup>nd</sup>. Inspection was approved and permit will be issued.

John Diotalevi from the Polish American Citizens Club came in to inform the Board that the PACC is now in compliance with the Massachusetts Smoke-free Workplace Law. He is also looking for clarification on whether or not E- cigarettes are allowed. Dr. Kelliher reads Section 4: Smoking Prohibited, (d) The use of e-cigarettes is prohibited wherever smoking is prohibited per M.G.L. Ch. 270, §22. Mr. Diotalevi also informed the Board that he will be talking to Building Commissioner Justin Larivee about options of doing something outside for smokers. The Board reminds him that the smokers must be twenty five feet (25') from any entrance.

Dr. Kelliher wanted to discuss the signing of the letter to Governor Baker regarding the Interstate Gas Pipelines. This discussion will take place at our next meeting.

Dr. Kelliher informs Mr. Paquette that she sent a letter to the Joint Committee on Marijuana Policy urging them to include several safeguards in the laws that will govern the legal use of marijuana in the Commonwealth of Massachusetts. She would like a similar letter sent by the Board of Health. This discussion will take place at our next meeting.

Dr. Kelliher wants to discuss Tobacco 21. Mr. Paquette explains to her that new Tobacco Regulations were placed a year ago and they went over and over about this. He feels that if you can go to war at age 18, you should be allowed to smoke at age 18. Dr. Kelliher shares that 50 percent of the residents of the state already live in towns with a Tobacco 21 Regulation, including Holyoke, Westfield, and Belchertown among others and the importance of protecting our service men and women from tobacco related illnesses. The Institute of Medicine Study showed a clear overall health benefit to restricting sale of tobacco products to people under 21, since most people who use tobacco start before 21. Since a Tobacco 21 Law is included in one of the state laws governing legal marijuana sales, that are due to be

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voted on at the state level within the next few months, the Board agreed to hold off on further discussion of this topic for now.

Septic Variance submitted by Walter Markett for 84 James Street was reviewed. The Board wants more clarification from Septic Inspector Michael Pietras before approving this Variance.

Inspection report submitted by Health Inspector Andrew DaCruz regarding the complaint made about bird feeders and rats on the property of 378 East Street was reviewed by Board members. Inspection reports shows that there is only one bird feeder on the property and no rats were seen at the time of inspection. Letter will be written to the complainant informing her of the outcome of this inspection.

Email from tenant at 26 Prospect Street was read informing the Board that the repairs have not been made by the landlord. A Certified letter will be sent to Landlord Manuel Rodrigo requesting that he meet with the Board at our next meeting on Tuesday, April 25, 2017 at 6:30 p.m.

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

- Lot 7, Maria's Way owned by Arthur Pires
- Lot 2, Rosewood Drive owned by George Rosa

Department of Inspectional Services will be notified of this approval.

Copy of the plan of actions which outline corrective measures to correct violations found during the inspection at the Hampden County Correctional Facility on February 13, 14 and 15, 2017 sent to Environmental Health Inspector, CSP, BEH Kerry Wagner from the Department of Public Health from Sheriff Nicholas Cocchi was reviewed by Board members.

The following samples taken on March 2<sup>nd</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 280 and a Coliform/g count of < 1 EHSCC.
- McDonald's #6099, 420 Center Street – Vanilla milk shake showed a Standard plate count/g of 290 EPAC and a Coliform/g count of < 1 EHSCC; Vanilla ice cream showed a Standard plate count/g of < 250 EPAC and a Coliform/g count of < 1 EHSCC.

The following samples taken on March 3<sup>rd</sup> from McDonald's #3174, Milepost 60, Mass Turnpike East and submitted by Morrell Associates were reviewed by Board members:

- Vanilla milk shake showed a Standard plate count/g of < 250 EPAC and a Coliform/g count of < 1 EHSCC.
- Vanilla ice cream showed a Standard plate count/g of < 250 EPAC and a Coliform/g count of < 1 EHSCC.

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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 Church of Jesus Christ of LDS which is located at 584 West Street and submitted by Quabbin Analytical Lab were reviewed by Board members.

The following Food Recalls were reviewed by Board members:

- Sunshine Bakery Announces Voluntary Recall of Cassava Cake and Mixed Nut Mooncake.
- Urgent: Envy Me is Recalling LaBri's Body Health Atomic 60 Capsules Due to Undeclared Sibutramine.
- Lifestyle Evolution Voluntarily Recalls One Shift of Nu Go Slim Crunchy Peanut Butter.
- Myland Provides Update on Meridian Medical Technologies', a Pfizer Company, Expanded Voluntary Worldwide Recall of EpiPen® Auto-Injector.
- Frozen Burritos Recalled Due to Possible Health Risk, Menu Del Sol Recalls Burritos in California and Nevada.
- Reser's Fine Foods, Inc. Issues Allergy Alert on Undeclared Milk and Soy in limited quantity of One Macaroni Salad Item.
- Conagra Brands Recalls Hunt's Chili Kits Due to Potential Presence of Salmonella in Spice Packet.
- Allergen Alert: Wegmans Food Markets, Inc. Issues Allergen Alert on Undeclared Peanuts in Wegmans Original Killer Brownies with Pecans, sold individually or pre-packaged by the pound in Bakery in New York State Stores Only.
- Lakeside Foods, Inc. Recalls Season's Choice Frozen Sweet Peas Because of Possible Health.
- Olde York Issues Allergy Alert on Undeclared Milk in one lot of Clancy's Snack Combo 20 X 1 oz.
- Medtronic Announces Worldwide Voluntary Field Corrective Action for Newport™ HT70 and Newport™ HT70 Plus Ventilators.
- Medtronic Announces Voluntary Worldwide Recall of its Stratamr Adjustable Valves and Shunts.
- Precautionary Recall of a Limited Quantity of Organic Marketside Spring Mix Salad is Announced by Fresh Express.
- Isomeric Pharmacy Solutions Issues Voluntary Nationwide Recall of all sterile compounded products.
- Allergy Alert Issued by Whole Foods Market Store in Dedham, Massachusetts for In-store produced Yogurt and Granola Parfaits Due to Undeclared Almonds.

Pool reports from March 1<sup>st</sup> through March 31<sup>st</sup> submitted by Ludlow Community Center located at 91 Claudia's Way were reviewed by Board members.

The following Legal Notices submitted by the Planning Board were reviewed by Board members:

- On the Application of Abilio A. Borges (Borges Construction Inc.) for property located at 165 Carmelinas Circle (Assessors' Map 26, Parcels 7E & 7V) for the purpose of addition of a 70' x 10' detached lean-to. Public Hearing will be held on Thursday, April 27, 2017 at 7:00 p.m.
- On the Application of Norbert A. Pereira of 89 Cislak Drive for Home Office – Home improvement business (B P Home Improvement & Repair). Public Hearing will be held on Thursday, April 27, 2017 at 7:15 p.m.

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Memo from Chairman of the Board of Appeals Tony Jarvis regarding their concern of mosquito infestation and mosquito born virus due to the HAP Housing Project at 188 Fuller Street was read. Board members feel there are no issues or concerns regarding the health and human safety of our residents. Mr. Jarvis will be notified in writing of this decision.

The following Notice of Casualty Loss to Buildings were reviewed by Board members:

- Christine Dionne, 21 Stevens Drive
- Irene Cellillie, 23 Bucknell Street

Copy of letter to Town of Wilbraham, Board of Health, 240 Springfield Street, Wilbraham from Solid Waste Chief Daniel Hall from the Department of Environmental Protection, Bureau of Air and Waste, 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. Letter from Weston & Sampson Engineers Inc., was read notifying this department that the Public Hearing is being held on Monday, April 24, 2017 at 7:00 p.m.

The Yearly Operational Plan submitted by The Massachusetts Municipal Wholesale Electric Company was reviewed by Board members.

The Reorganization of the following Boards were reviewed by Board members:

- Board of Public Works
  - Stephen Santos, Chairman
  - Alexander Simao, Vice-Chairman
  - Thomas Haluch, Member
  - Barry Linton, Member
  - Guilherme Rodrigues, Member
- Planning Board
  - Edgar R. Minnie II – Chairman
  - Joseph Queiroga – Vice Chairman
  - Kathleen Houle – Secretary
  - Christopher Coelho – Member
  - Raymond Phoenix – Member
- Recreation Commission
  - Sean McBride – Chairman
  - Jason Martins – Vice Chairman
  - Don Cameron – Member
- School Committee
  - Charles T. Mullin, Chairman
  - Michael J. Kelliher, Vice Chairman
  - Jeffrey A. Laing, Secretary

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- o James P. Harrington, Member
- o Jacob R. Oliveira, Member
  
- Zoning Board of Appeals
  - o Anthony Jarvis – Chairman
  - o Paul Zielinski – Vice Chairman
  - o Kathleen Bernardo – Member
  - o Manny Lopes – Member
  - o Joseph Wlodyka – Member
  - o Alan Aubin – Alternate member
  
- Library Trustees
  - o Christine Davis, Chair
  - o Robert Mishol, Vice Chair
  - o Elaine Karalekas, Secretary

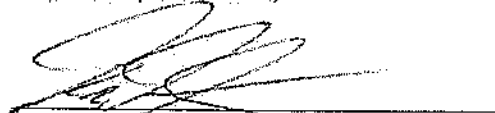
Septic Pumping reports submitted by Wind River Environmental were reviewed by Board members.

The 2017 Water Quality Report submitted by the Springfield Water and Sewer Commission was reviewed by Board members.

Motion made by Dr. Kelliher to adjourn the meeting with Mr. Paquette seconding the motion. All in favor 2-0.

Meeting adjourned at 8:30 p.m.

Respectfully submitted,



Timothy J. Fontaine  
Secretary

TJF/cmr