

The regular meeting of the Board of Health was held on Tuesday, July 10, 2018. Timothy J. Fontaine, Chairman, Elinor Kelliher, M.D., Secretary and Carolyn Rogowski, Member were present. The meeting was called to order at 4:01 p.m. by Mr. Fontaine.

Payroll schedules and bills were signed as approved by Board members. Minutes of the May 29, 2018 and June 12, 2018 meetings were read by Board members. Motion made by Ms. Rogowski to accept the May 29th and June 12th minutes as written, with Dr. Kelliher seconding the motion.

Ludlow Funeral Home Funeral Director application was reviewed by Board members and license will be issued.

Board members reviewed June 21, 2018 Budget Report received from the Accounting Office.

Septic Inspector Mike Pietras returned to discuss the Gross Alpha Screen testing required in the well regulations and provided fact sheets on dissolved mineral radioactivity in drinking water and radionuclides for the Board. The DEP and EPA recommend performing the test for anything in bedrock and he informed Board members that Ludlow has more of a bedrock deposit. He further informed Board members that gross alpha has been linked to bone cancer, radon to lung cancer, and that radon is more of a health scare. Mr. Pietras feels we should definitely test for radon. Mr. Fontaine would like to see what the local areas are doing. Ms. Rogowski feels because the Gross Alpha Screen is an expensive test and was informed it can take up to a month for results that it should be a suggestion; information should be provided to homeowners and ultimately it should be the homeowner's decision whether to perform the test or not. Dr. Kelliher feels we should follow what is recommended by the state and is in support of staying with the regulations the way they are. Dr. Kelliher made a motion to keep the well regulations as they currently stand, seconded by Mr. Fontaine. Vote 2-1.

Septic Variance submitted by Septic Inspector Michael Pietras for 125 Watson Lane was reviewed and approved by Board members. Variance is to install a 12' x 42' leach field in Title V fill and use of a sieve analysis as a substitute for a perc test due to site restriction – excessive fill in front.

Dr. Kelliher discussed with Mr. Pietras a conference she attended two weeks ago by the State Department of Local Health. A state OSHA inspector informed attendees currently municipal departments are exempt from OSHA regulations, but that the state law will be changing requiring compliance. She discussed OSHA training for our septic inspectors and health inspectors. Mr. Pietras did inform the Board he has had OSHA 40 training and the refresher OSHA 10. Dr. Kelliher will share this information with the Town Administrator and told Board members it will not be implemented for several months.

Letter received from Kevin Czaplicki regarding 823-825 Center Street requesting to add a vent to the end of his septic system was discussed with Mr. Pietras. Mr. Pietras informed the Board that the property has been owned by Mr. Czaplicki since 1984. He put in a new system 10 years

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ago that flooded on him, it was pumped, and the system is working, but very slowly. Mr. Pietras informed Board members this is acceptable under the code, should be inspected after it is installed, and his recommendation was to allow Mr. Czaplicki to install the vent. Board members approved the installation of the vent.

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Board members discussed Mr. Pietras' contract and a renewal letter will be sent to him. Mr. Pietras asked for approval to have John Kopinsky, Alternate Septic Inspector submit plans via email to him in his absence which was granted by Board members.

Board members further discussed the complaint regarding 212-214 Holyoke Street. Ms. Guler and Wes were in attendance. Ms. Guler informed the Board that there is mold in the basement and the front door is falling apart. Mr. Fontaine did perform a housing inspection which was reviewed by Board members. A certified letter will be sent requesting all violations be corrected within ten business days. Dr. Kelliher informed Ms. Guler that the state has lead inspectors to call for help and provided her phone numbers. Ms. Guler stated she has been contacted by the Childhood Lead Prevention Program and has also contacted an attorney. Dr. Kelliher also informed her the Department of Public Health has caseworkers who would be able to show her ways to minimize exposures. Dr. Kelliher did confirm licensure of the contractors who performed the lead abatement.

Board members further discussed a complaint received regarding 241 Sewall Street of a non-stop barking dog, rooster, chickens and rats. The Animal Control Officers did inspect the property which showed 2 chickens and one rooster and were told they were being removed from the property. They were on the property for an hour and the dog never barked. A reinspection will be done by Animal Control. A certified letter will be sent to remove all debris and maintain the property within ten business days.

Board members further discussed a complaint received regarding debris and odor behind 113 Center Street. Mr. Fontaine will drive by.

Complaint received regarding a rooster at 162 Fuller Street was discussed by Board members. A certified letter will be sent asking that the rooster be removed immediately from the property.

Board members further discussed a complaint received regarding 250 Winsor Street. Mr. Fontaine did inspect the property and the yard is completely covered by vines. A certified letter will be sent ordering all debris be removed, and the property be maintained within ten business days.

A complaint and photographs regarding a compost pile at 236 West Street as well as a Stipulated Order for Preliminary Injunction was reviewed by Board members. Cindy Kawie was in attendance. Mr. Fontaine did drive by; it is not an active farm and an odor was present. Ms.

Kawie informed the Board that the dumping occurs nightly. They are trying to fill a pad with fill, covering the tree stumps of all the trees that were cut down, went through her property as the tree farm can't be accessed without going through her property and there is a lawsuit for clearing too close to her property. A certified letter will be sent ordering removal of the compost pile and to cease dumping within ten business days.

Board members discussed a complaint and reviewed photographs regarding rats on Warsaw Avenue headed for the dumpsters in the Maple Tree Square. A letter will be sent asking that the dumpsters be locked/closed at all times and the area clean of any trash/debris to eliminate the food source.

A complaint received regarding an insect in a salad served at the McDonald's on the Mass Turnpike Eastbound was reviewed by Board members. An inspection was just performed by our health inspector on June 24, 2018 showing no violations.

Email from the Massachusetts Department of Public Health – Lead in School Drinking Water and Lead in Drinking Water FAQ for School and Childcare Facilities fact sheet was reviewed by Board members.

Dr. Kelliher informed Board members she has finished the tobacco inspections. Chapin East had a lot of flavored tobacco, 50%, and their pricing was wrong. E-Z Shop Convenience did not have their retail permit. Turnpike Package had the signage and no flavored tobacco products. Uncle Bob's and Our Town Variety had no flavored tobacco products. After receiving an anonymous complaint that Pride was selling Cheyenne grape cigars, a reinspection was performed. Only Cheyenne menthol and tobacco flavors were on the shelves. There were no grape flavored cigars. Mr. Fontaine will verify the vending machine has been removed from the Unity Athletic Club.

Board discussed possible fees for Beaver Permits. Mr. Fontaine will investigate fees.

The following water samples taken from Haviland Pond reviewed by Board members were found to be safe for swimming (with the exception of July 5th):

- June 18, 2018 - 20 CFU's
- June 25, 2018 - 150 CFU's
- July 2, 2018 - 40 CFU's
- July 5, 2018 – 2000 CFU's (Pond Closed)
- July 9, 2018 - 10 CFU's (Pond Reopened)

Email received from Catherine Smith informing the Board that Friendly's #233, 471 Center Street permanently closed on Monday, June 18, 2018 was reviewed by Board members.

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Water test for Lot 24, Harvest Drive was reviewed and approved by Board members. Department of Inspectional Services will be notified of the approval.

Ludlow Community Center June 2018 pool reports were reviewed by Board members.

The following samples taken on June 3rd and June 16th and submitted by Morrell Associates were reviewed by Board members:

- McDonald's #6099, 420 Center Street – Vanilla ice cream showed a Standard plate count/g of < 250 EPAC and a Coliform/g count of < 1 EHSCC.
- McDonald's #3174, Milepost 60, Mass Turnpike East – Chocolate milk shake showed a Standard plate count/g of 1,900 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.
- Burger King #4224, 419 Center Street – Vanilla ice cream showed a Standard plate count/g of 1,700 and a Coliform/g count of < 1 EHSCC.
- Randall's Farm dba Elsie's Creamery, 631 Center Street – Chocolate Ice Cream showed a Standard plate count/g of 1,000 and a Coliform/g count of < 1 EHSCC.
- Midwoods Dairy Barn, 329 West Street, Bldg B – (L) Vanilla Ice Cream showed a Standard plate count/g of 350 and a Coliform/g count of < 1 EHSCC.
- Uncle Bob's General Store, 967 East Street – Vanilla Ice Cream showed a Standard plate count/g of 3,500 and a Coliform/g count of 140.

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

The following Food Recalls were reviewed by Board members:

- World Variety Produce, Inc. Voluntarily Recalls Spicy Edamame Because Of Undeclared Allergens
- Dave's Pet Food Voluntarily Recalls 95% Premium Beef Canned Dog Food Due to Potentially Elevated Levels of Thyroid Hormone
- Kellogg Company Voluntarily Recalls Honey Smacks Cereal Due to Possible Health Risk
- Del Monte Fresh Produce N.A., Inc. Voluntarily Recalls Limited Quantity of Vegetable Trays in a Multistate Outbreak of Cyclospora Illnesses in Select Retailers in Illinois, Indiana, Iowa, Michigan, Minnesota, and Wisconsin, Because of Possible Health Risk
- Golden Star Wholesale Issues Allergy Alert on Undeclared Sulfites in Dried Apricots Sour
- Now Health Group Inc. Recalls Select Now Real Food Zesty Sprouting Mix Because of Possible Health Risk
- Gaia Ethnobotanical, LLC., Voluntarily Recalls Kratom Products Due to Potential Salmonella Contamination

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- Nectar Foods Inc Dba Honey Mama's Issues Allergy Alert on Undeclared Almonds in Oregon Peppermint Cacao Nectar Bar
- Wish Bone Salad Dressing Issues Allergy Alert on Undeclared Milk and Egg in 15 oz. Wish-Bone House Italian Salad Dressing
- Talking Rain Voluntarily Recalls Sparkling Ice Cherry Limeade in Response to Customer Complaints
- LL's Magnetic Clay Inc Issues Allergy Alert on Undeclared Allergens in Prescript-Assist Dietary Supplement
- Allergy Alert Issued in Midwest Whole Foods Market Stores for Undeclared Soy in Oatmeal Raisin Cookies
- Fagron Sterile Services Issues Voluntary Nationwide Recall of Neostigmine Methylsulfate 1 mg/mL, 5mg per 5mL and Neostigmine Methylsulfate 1 mg/mL, 3mg per 3mL, in a 5mL syringe Due to Mislabeling
- May Flower International Inc. Issues a Allergy Alert on Undeclared Milk Allergens in "3+2 Soda Crackers"
- Blissful Remedies Issues Voluntary Nationwide Recall of Certain Kratom Powder Capsule
- United States Bakery Issues Allergy Alert On Undeclared Milk In Naked Bread Hamburger Buns
- Radagast Pet Food, Inc. Voluntarily Recalls Three Lots of Rad Cat Raw Diet Free-Range Chicken Recipe and One Lot of Pasture-Raised Venison Recipe Because of Possible Health Risk
- Pseudomonas Aeruginosa Bacteria Found in Saje Splish Splash Gentle Baby Wash
- LL'S Magnetic Clay Inc. Expands Allergy Alert On Undeclared Allergens In Prescript-Assist Dietary Supplement To All Lots

The following legal notices submitted by the Planning Board were reviewed and approved by Board members:

- On the Application of Thomas & Kimberly Halgas for an Accessory Apartment at 148 Gamache Drive. Public Hearing will be held Thursday, July 26, 2018 at 7:00 p.m.
- Special Permit, Thomas & Kimberly Halgas, 148 Gamache Drive (addition of 547 sqft. Accessory Apartment).

Site Plan approval granted by the Planning Board on Applicant Jambazian Realty, LLC – CSW, Inc. located at 45 Tyburski Road was reviewed by Board members.

Special Permit granted by the Planning Board on Applicant Manuel Moreno, 146 Vienna Avenue for the purpose of a home office – removing sharp edges from parts – burring (MM Burring) was reviewed by Board members.

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Change of Occupancy submitted by the Planning Board for Nadia LaMountain, 213 State Street, Apt. 8 for The Beauty Studio Boutique/Nadia LaMountain LMT (booth rental) located at 393 East Street was reviewed by Board members.

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

- Maria E. Rodrigues, 38 Florida Street
- Scott Falconer, 422 Lyons Street

June 19, 2018 and July 3, 2018 NACCHO Connect (National Association of County and City Health Officials) was read by Board members.

Spring 2018 NACCHO Exchange submitted by National Association of County & City Health Officials (NACCHO) was read by Board members.

June 2018 NALBOH (National Association of Local Boards of Health) was read by Board members.

June 2018 issue of Public Health Dispatch submitted by National Association of County & City Health Officials (NACCHO) was read by Board members.

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

Meeting adjourned at 6:14 p.m.

Respectfully submitted,



Timothy J. Fontaine
Chairman

TJF/sl