

A meeting of the Board of Health was held on Tuesday, September 11, 2018. Timothy J. Fontaine, Chairman; Elinor D. Kelliher, Secretary; Carolyn Rogowski, Member and Kim McKay, Office Assistant recording the minutes were present. The meeting was called to order at 4:02 p.m. by Mr. Fontaine.

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Bills were signed and approved by Board members.

Minutes of the August 21, 2018 meeting were read by the Board members. A motion was made by Ms. Rogowski to accept the August 21, 2018 minutes as written, with Mr. Fontaine seconding the motion. Since Dr. Kelliher was not in attendance at the August 21, 2018 meeting, Mr. Fontaine signed the August 21, 2018 minutes.

A visitation was made by Ludlow resident, Emmeline Matty. She spoke with Director of Nurses, Cheryl Messer, earlier in the week who advised her to come to the Board meeting to propose the idea of doing a volunteer internship, research project, and shadowing of the Board of Health staff. Ms. Matty graduated in May 2018 from the University of Massachusetts – Amherst with a Bachelor of Science in Public Health. She is also a Certified Nurse Assistant and Home Health Aide in Chicopee. She would like to volunteer her time to help with the Flu Clinic in our office scheduled for October 16<sup>th</sup> and October 30<sup>th</sup>. However, she will not be giving the shots at the Flu Clinic nor will she be shadowing any home visits. Her major interests are doing research and grant writing. She is not working at this time and is seeking her Master's Degree in Public Health. Ms. Rogowski informed her she would need to get a CORI check and complete a volunteer application with Human Resources. Dr. Kelliher suggested volunteering, meeting various staff members within the Health Department and coming to a few Board meetings would be a great experience for her. Mr. Fontaine also suggested she could assist Ms. Messer with tasks involving Emergency Preparedness.

Board members further discussed the ongoing complaint regarding 214 Holyoke Street. Mr. Fontaine stated Mr. Goncalves' has approximately eight more repairs to make but the tenant is giving him a hard time with getting into the property. Ms. Guler will only allow him access during the week after 3:00 p.m. and on Saturday mornings from 7:00 a.m. to 10:00 a.m. Mr. Goncalves is having a hard time finding someone to perform the repairs that are left during those times. Mr. Fontaine's main points on this issue are that the State inspector went in and certified the work was done and completed. Also, Mr. Fontaine's online research indicated that Ms. Guler indicated the kids' lead level was a 5 which is elevated, not at a poisoning level and wants to know if the kids have been retested. Dr. Kelliher stated the second time Ms. Guler attended the Board meeting, she indicated the kids were retested and their levels had gone down. Mr. Goncalves attorney advised him to make sure Ms. Guler is there when Mr. Goncalves is there. Mr. Goncalves knows the Board wants to do another inspection once everything is done. It is just a matter of waiting until he can get the work done. Mr. Fontaine suggests sending a letter to Mr. Goncalves, with a copy to the Ms. Guler, giving him another 30 days to complete the remaining housing upkeep items that need to be repaired, none of which are a lead risk issue. Mr. Fontaine suggests that Mr. Goncalves continue working with Ms. Guler to schedule appropriate times and gain access into the property to finish this work,

indicate we see progress is being made and to continue to update the Board about progress. Once all repairs are completed, Mr. Goncalves should contact the Board to set up another date for inspection.

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Board members further discussed a complaint regarding 241 Sewall Street. Mr. Fontaine drove by the property today. Mr. Fontaine was satisfied with what he saw at the property and indicated it is about 90% cleaned up and considers this matter completed.

Board members further discussed a complaint regarding 250-252 Winsor Street. Mr. Fontaine cannot see into the backyard and is only going by pictures he has seen. Mr. Fontaine has tried to contact the complainant who has not returned his call.

Board members further discussed a complaint regarding 9-11 Walnut Street. Ms. Rogowski viewed the property. Ms. Rogowski stated the lawn has been mowed. On the righthand side of the property, there is a canopy however you cannot see what is under the canopy. On the left side of the property, there is not much there. You cannot see into the backyard because of the stockade fence. Ms. Rogowski and Mr. Fontaine did not see any overgrown weeds. The Board is satisfied with the outcome of this property and considers this issue resolved.

Board members further discussed a complaint regarding 12 Bristol Street. Ms. Rogowski viewed the property and says it is a mess. The Town now owns this property. Mr. Fontaine advised to send a copy of this complaint to the Town Administrator, Ellie Villano, so she can send the Department of Public Works over to take care of this property.

Board members further discussed a complaint regarding 34 Grant Avenue. Mr. Fontaine viewed the property today. He stated the lawn is mowed, the dumpster is still there and can see they are still working on cleaning up the property. The Board is satisfied with the continued efforts of the cleanup and considers this issue resolved.

Board members further discussed a complaint regarding 49 Maple Street. The complainant came to the office on September 4, 2018 indicating some bushes were cut, but left it on the property; the couch was still there; and the cleanup was not satisfactory. Mr. Fontaine said today when he viewed the property, the bushes appeared to be cut, did not see any overgrown grass, did not see a couch in the front of the yard and did not see any issues at this address. The complainant called the office on September 10, 2018 to inquire about the status as to if the Board checked into this property. Mr. Fontaine said this property will be re-checked.

Board members further discussed a complaint regarding 41 West Street 2L. Mr. Fontaine tried contacting the tenant, Ms. Burch who works for the Department of Children and Families and who moved there in May 2018. Mr. Fontaine has not heard back from Ms. Burch yet. Ms. Anna Rodrigo owns the property. Mr. Fontaine suspects the worms are caterpillars turning into moths. Mr. Fontaine will wait to hear from Ms. Burch so he can do the inspection.

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Board members provided a tobacco update. The tobacco license for E-Z Shop Convenience located at 546A Center Street (owned by Tahir Humayun) and Chapin East Variety (owned by Tahira Khatoun) located at 830 Chapin Street, both State licenses expire September 30, 2018. If paid, their permits can be mailed to them. Turnpike Package Store, located at 434 Center Street is closed. Mr. Fontaine said he spoke with Ed Minnie. Mr. Minnie is in Florida and they ceased selling tobacco back in early July 2018; then two weeks after that they closed and are awaiting to transfer the liquor license over. The Minnie Trust owns Turnpike Package Store to under the overpass where the produce market is located. The tobacco license is non-transferrable. We currently have approximately 19 tobacco licenses with a cap of 26.

As of January 1, 2019, the new State-wide law regarding Tobacco is instead of an individual being age 18, you must be age 21 in order to buy tobacco. Mr. Fontaine states, our town has to at least meet the State law but we can be more stringent than the State law. Dr. Kelliher stated there are some communities within the State where the age is 25 in which you can purchase tobacco. Dr. Kelliher also stated this is similar to our restriction on flavored tobacco which is more restrictive than the State.

Dr. Kelliher discussed Narcan purchasing for Pathway to Recovery with the Board. Dr. Kelliher stated Pathway to Recovery is Carolyn Meuse, R.N.'s project through Mercy Medical Center. Ms. Meuse has been to several home visits where a person has had an overdose, not homes where there has been a death or a loss. Ms. Meuse goes with police, EMTs, mental health counselors from Behavior Health Network and physicians as a team on what they call 'knock to talk'. They try to go in the morning to talk to the addict, substance user (if available) and their family members to offer support and services with the idea of following an overdose incident is a time when a person is more amenable to enter therapy and treatment. This program was successful in a town in which it was modeled after where it showed a great deal of success and showed a number of people getting into treatment and preventing more deaths. Ms. Meuse's organization has had a great deal of difficulty in obtaining nasal Narcan units to dispense and train family members and individuals. Mercy Medical Center cannot order them for her organization because they do not have access to the bulk purchase program since they are not a municipality. The fire and police have a bulk in purchase order but do not have it in place yet. Her organization has been doing these home visits without being able to offer Narcan nor able to train them to use it. Dr. Kelliher found a relatively new State law, that allows the State to purchase these Narcan units in bulk and offers them at a discounted rate to municipalities including fire, police and local health departments. Ms. Meuse asked Dr. Kelliher if the department could do the ordering if Mercy Medical Center would pay for the units. That would involve our health department having a Massachusetts controlled registration number, which is the State's version of the DEA number. Dr. Kelliher stated we may already have this registration number since we already order vaccines. If not, it is not something that difficult to obtain. Dr. Kelliher feels Meuse's program would benefit our community tremendously. A Memorandum of Understanding between the Ludlow Board of Health and Mercy Medical Center would need to be created in order to ensure Mercy Medical would pay us for the nasal Narcan units. Dr. Kelliher states the payment would have to come from either Mercy Medical

Center or Ms. Meuse's program and realizes our department does not have the funds for this purchase. Mercy Medical Center or Ms. Meuse's program would write the check to the State and Ludlow Board of Health would place the order. Dr. Kelliher inquired about this with the State and asked if the Ludlow Board of Health were not the payor, would we even be able to do the ordering since it is through a third-party serving our community. Dr. Kelliher stated the nasal Narcan units could be delivered to Ms. Meuse's program. Mr. Fontaine's concern is if the department would be made liable. Dr. Kelliher mentioned there is another health department in a small town in the eastern part of the State who has ordered nasal Narcan for their health department. They also dispense and train their community how to use it. Mr. Fontaine suggests Dr. Kelliher research the ordering process further and notify Ms. Meuse we are interested. Dr. Kelliher reiterated the nasal Narcan would not be stored in our department, preferred it to be shipped directly to Ms. Meuse's program and does not envision our department purchasing the nasal Narcan first and then being reimbursed.

Dr. Kelliher shared with the Board that the intern, Faith English, set up a grant funded Narcan training dispensing event that will be part of Red Ribbon Week through Ludlow Cares part of Walk to Remember being held October 28, 2018 at Ludlow High School. This is an event to remember those who have lost their lives to addiction as well as for those who are in recovery. Ms. English did an amazing job. She participated in the Hampden County District Attorney's Task Force for Addiction which was a great experience for her to network and get to meet people. She invited Dr. Kelliher to one of the meetings who was amazed at all the great ideas people had. Ms. English also wrote a draft of a Press Release about what she has planned which Dr. Kelliher presented to the Board members. This will get updated with the timing and plans for the event. The town of Northampton recently had an event where they reached out to the businesses in the town and held a sit down type of educational presentation through Tapestry Health. They had a fairly good turnout of 30-50 business owners and workers from various businesses that attended the event. The attendees received training and an educational presentation of the impact of opioid abuse and tips on what to look for, what types of things one might see, when to use Narcan and how to use Narcan. Mr. Fontaine would like to add a statement to the Press Release stating, 'The Ludlow Board of Health does not provide Narcan to the public.' Dr. Kelliher states the Press Release will be published in The Register a couple of weeks before the actual event. Dr. Kelliher also mentioned we can refer people to Walgreens or CVS to actually receive Narcan and if you have MassHealth, it is free. There were about 35 master public health students doing these internships around the State this summer. Ms. English was 1 of 3 who were asked to give a keynote speech about her project. Dr. Kelliher presented the Board members with Ms. English's PowerPoint presentation in which she presented at the closing ceremonies. Ms. English did not have statistics for Ludlow specifically, but rather, Massachusetts in general. Anyone can get the nasal Narcan spray for the cost of their co-pay with insurance at the pharmacy, however, a prescription is not necessary when purchasing from the pharmacy. The pharmacist is also supposed to train the consumer on how to use it. Ms. English would like to work at the Department of Health for the State.

Ms. Rogowski asked if the complainant from Taco Bell called the office back. The complainant did not call back. The gentleman made his complaint on August 31, 2018 that there was no water at Taco Bell. At the time, the hot water heater was being replaced. Ms. Rogowski inspected Taco Bell and discovered they did have water, but not hot water for the period of time when the hot water heater was being replaced. Inspector Tim Mendes returned to Taco Bell after 4 p.m. and the hot water was restored.

Ms. McKay stated the Director of Nurses, Cheryl Messer was unable to attend the meeting tonight and wanted to inform the Board the Flu Clinic is scheduled for October 16, 2018 and October 30, 2018. Ms. Messer needs a sign or wood horse to have on display outside Town Hall on the days the Flu Clinic will be held. Mr. Fontaine suggested contacting the Department of Public Works.

Ms. McKay also stated, Ms. Messer wanted to inform the Board, in terms of Medicare billing for flu vaccines, we are a Medicare provider until December 31, 2018. Then, we must renew because it is only good for 5 years through PECOS. Ms. Messer's question is, last season we had UMASS bill Medicare for us, can we have UMASS bill Medicare for us this year? Mr. Fontaine advises us to bill Medicare. Ms. Rogowski advised Ms. McKay to ask Ms. Riberio if Ms. Reyes could show Ms. McKay how billing was completed last year.

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

Water samples taken on June 13, 2018 from Westover Golf Course which is located on South Street in Granby and submitted by WhiteWater, Inc. were reviewed by Board members.

Water samples taken on September 4, 2018 from Lupa Zoo which is located at 68 Nash Hill Road and submitted by Quabbin Analytical Lab were reviewed by Board members.

Food Establishment Inspection Reports submitted by Health Inspectors Andrew DaCruz and Tim Mendes were reviewed by Board members.

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

- Site sketch (revised submittal) regarding Ludlow Construction/Crocker Building Company, David Mathes 19 Carmelinas Circle (Assessors Map 26, Parcel 9A) (add new addition to the southeast corner of the existing building; comprised of 3 offices, 1 bathroom, 1 conference room); the public hearing will be held September 13, 2018.

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

- Kye Sook Kang, 78 Glenwood Street
- Carolann Macmaster, 142 Michael Street

Correspondence regarding Startup Tips for Schools and Childcares Regarding Lead and Copper was reviewed by Board members. Dr. Kelliher advised to forward this to the school nurse, Kristen Bunten.

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The following Food Recalls were reviewed by Board members:

- Gravel Ridge Farms Recalls Cage Free Eggs Due to Possible Salmonella Contamination
- H&C Food Inc. Issues Allergy Alert on Undeclared Wheat, Pork, Egg, and Crustacean in Frozen Fish Balls
- Alcon Announces Voluntary Global Market Withdrawal of CyPass Micro-Stent for Surgical Glaucoma
- Hellolife, Inc. Issues Voluntary Worldwide Recall of Neuroveen, Respitol, Thyroveev and Compulsin due to Possible Microbial Contamination
- Product Quest Manufacturing LLC Recalls All Nasal Products and Baby Oral Gels Manufactured at Florida Facility Due to Possible Microbial Contamination
- Pfizer, Inc. Issues A Voluntary Nationwide Recall of One Lot of Children's Advil® Suspension Bubble Gum Flavored 4 FL OZ Bottle
- Accord Healthcare Inc. Issues Voluntary Nationwide Recall of Hydrochlorothiazide Tablets USP 12.5 Mg Due to Labeling Mix-up
- Living Well Remedies, LLC Issues Voluntary Nationwide Recall of Weight Away Remedy, Lot # 111417LWL614, Due To Microbial Contamination
- Consumer Alert – Undeclared Sulfites in "Lily Bulb"

The following samples taken on August 1<sup>st</sup>, August 2<sup>nd</sup> and August 21<sup>st</sup> and submitted by Morrell Associates were reviewed by Board members:

- McDonald's #6099, 420 Center Street – Chocolate milk shake showed a Standard plate count/g of 32,000 EPAC and a Coliform/g count of 1 and Vanilla ice cream showed a Standard plate count/g of 290 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 < 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.
- Burger King #4224, 419 Center Street – Vanilla ice cream showed a Standard plate count/g of 2,700 and a Coliform/g count of < 1 EHSCC.
- Randall's Farm dba Elsie's Creamery, 631 Center Street – (1L) Raspberry Ice Cream showed a Standard plate count/g of 20,000 and a Coliform/g count of < 1 EHSCC.
- Midwoods Dairy Barn, 329 West Street, Bldg B – Vanilla Ice Cream showed a Standard plate count/g of 7,200 and a Coliform/g count of 35.
- Uncle Bob's General Store, 967 East Street – Vanilla Ice Cream showed a Standard plate count/g of 200,000 and a Coliform/g count of > 150 EHSCC. Mr. Fontaine is going to

shut them down. Dr. Kelliher will call Morrell to inquire why they did not notify the Board of Health of this immediately.

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

The September 4, 2018 NACCHO Connect (National Association of County and City Health Officials) was read by Board members.

Dr. Kelliher inquired about further information on the warrant article for the Town Health Agent for the Town Meeting. Mr. Fontaine and Ms. Rogowski stated the Article will have to be submitted for May 2019. Ms. Rogowski also stated the Board will also have to decide if Board of Health permit fees will be increased after the first of the year. This item should be listed on the next meeting agenda. Ms. McKay will need to ask Ms. Leacock for the list of other Town fees Ms. Rogowski assembled. Once approved by the Board, the new fees will need to be published in The Register as a Legal Notice.

The Board reviewed the correspondence regarding Private Well Regulations. The Board indicated the town has not changed their well regulations in quite some time.

The Board reviewed correspondence regarding new lot requirements and advised it should be forwarded to Septic Inspector, Mike Pietras to advise on requirements.

The Board reviewed a complaint regarding 676 Chapin Street. It is a vacant house. Mr. Fontaine advised to send this complaint to Justin Larivee. Ms. Rogowski suggested to Ms. McKay to go on the GIS to see who owns the house. However, Mr. Fontaine stated he thinks the house is a foreclosure and is now bank owned.

The Board reviewed correspondence dated August 24, 2018 from Patrick J. Markey, Esq. concerning 236 West Street. The attorney is asking the Board of Health to enforce the rules since the owner of the property is listed as a farm according to the State. The neighbor who brought the property is L.J.'s Unlimited Landscaping. It is an agricultural piece of property. The owner is a landscaper who dumps compost in the back. The Board sent him a letter to stop and cease dumping but then they came in with pictures. The owner has a nursery license through the State and is considered a farm. Under the Right to Farm Bylaws, he has the right to work on an agricultural piece of property over 5 acres who is certified as a farm. He has started to plant but the planting is on hold due to a property line dispute. There is a piece of property that joins the two in the back and there is a dispute between him and New England Pallets & Skids, Inc. where a piece of the property is paved. The July 24, 2018 minutes indicate that Mr. Barroso will be meeting with DAR on Thursday and will get a farm certificate. Mr. Fontaine advised Ms. McKay to contact Mr. Barroso or Mr. Allen to see if that certificate is in. With this nursery inspection certificate he has two or three years to start showing revenue and has to make so

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much money each year. Ms. McKay should contact Mr. Allen. His number is listed on the Master Application. The State, Department of Agriculture gets the actual Farm Certificate.

Mr. Fontaine turned in his letter of resignation effective as of September 12, 2018. The Board members accepted Mr. Fontaine's resignation letter with regret.

The next Board meeting is scheduled for Tuesday, September 25, 2018.

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

Meeting adjourned at 5:45 p.m.

Respectfully submitted,



9/27/18

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Dr. Elinor D. Kelliher  
Secretary

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