

A meeting of the Board of Health was held on Tuesday, November 20, 2018. Elinor D. Kelliher, M.D., Chairman; Carolyn Rogowski, Secretary; and Office Assistant, Kim McKay recording the minutes were present. The meeting was called to order at 4:15 p.m. by Dr. Kelliher.

Carolyn Rogowski inspected the Auntie Cathies Kitchen food truck for the Iron Duke Brewery event scheduled for November 21, 2018.

Septic Inspector Michael Pietras discussed the Variance for 626 West Street, owned by Mr. Craig Withstandley. Engineer Walter F. Markett, Jr. is asking for a 2 foot reduction raising the backyard grade. The Variance was reviewed and approved by Board members.

Septic Inspector Michael Pietras discussed the status of the meeting regarding 1248 Center Street he had with the owner, the owner's children, Engineer John Kopinsky, Allen Weiss and Installer Brian Roberts on Friday, November 16, 2018. The owner agreed with the suggestion from Installer Brian Roberts to install a curtain drain to divert surface flow and as a protection to the neighbor, will plug the vent. Mr. Pietras reiterated to the owner, if they do not comply, the Board is ready to put them on notice to comply with the recommendation of installing a drain.

Septic Inspector Michael Pietras signed the Certificate of Compliance for 14 Clark Street.

Septic Inspector Michael Pietras discussed Center Street (Bondsville Road & Piney Lane) (2 Estate lots). No Perc applications are on file. Three Percs were done and passed but no payment was received. The Board will follow up with obtaining payment.

Septic Inspector Michael Pietras signed the Certificate of Compliance for 46 Libby Street.

Septic Inspector Michael Pietras did not sign the Certificate of Compliance for 94 Erin Lane since the copy we received was illegible. The Board requested to have Engineer Neil Jackson provide another original.

The Board discussed the status of the two tax title properties located at 32 Rood Street and 37 Watt Avenue. Building Commissioner Justin Larivee inspected the property. It is unknown if Mr. Larivee returned with a report. Inspector Andrew DaCruz was unable to attend with Mr. Larivee and will schedule an inspection.

The Board further discussed the complaint regarding 236 West Street. It is unknown if Inspector Andrew DaCruz inspected the property. Town Attorney Rebecca M. Thibault's is drafting the Board of Health a new inspection report form for our inspectors to use. Dr. Kelliher also asked Attorney Thibault to draft a letter to notify both parties that this complaint will be revisited.

Dr. Kelliher discussed bringing an article to the May Town Meeting for a Public Health Director/Health Agent. Dr. Kelliher plans to invite Human Resource Carrie Ribeiro to an upcoming meeting in January to discuss the creation of a new position to hire a full time Public Health Director and possibly reorganizing the Health Department.

Board members discussed a complaint regarding 68 State Street, Apt. 218. The complainant is complaining about smoke in the designated smoke-free building. It is unclear if this is publicly-funded senior housing. Dr. Kelliher has called both the owner (Ludlow Mills Housing, Faneuil Hall per Ludlow Town GIS) and for the property manager (Winn Company) with no response. The website states it is a 100 percent smoke free building but unless this is publicly-funded housing, the Board may have no jurisdiction to enforce this. Inspector Tim Mendes is scheduled to perform an inspection.

Board members discussed a complaint regarding 229 Miller Street D3. The complainant is a woman who has heart failure who says water is coming in through the roof. Inspector Andrew DaCruz is scheduled to inspect this property. The Board will take action after seeing the inspection report of Inspector Andrew DaCruz.

Board members discussed 350 West Street. We have not received the letter from Bonnie Kennedy who wants her bill decreased by \$12 since she is unable to put a trailer on one of the lots.

Board members reviewed a letter received in the mail from Bankruptcy Court. The Board decided to have the letter forwarded to the Town Administrator Ellie Villano.

Bills were reviewed and signed by the Board.

Dr. Kelliher notified the Board Timothy J. Fontaine accepted the LATOS IV Full Time position and will start on December 3, 2018.

Dr. Kelliher reviewed the revised notice to the tobacco retailers. Written comments to the new Tobacco 21 regulations will be accepted up until December 10, 2018. The Board requested Ms. McKay to contact The Register to amend the Public Hearing notice to be published on November 28, 2018 and December 5, 2018. An amended announcement will also be provided to the Town Clerk, LCTV, and edited on the Town's website. Tobacco Control Director Sarah McColgan will also be providing Dr. Kelliher with the revised regulations for Tobacco 21 to be mailed to tobacco retailers. The Public Hearing is scheduled for December 11, 2018.

The Board reviewed an email from the Massachusetts Department of Public Health offering a Housing Course on December 5, December 6 and December 10 in Hadley, Massachusetts. Dr. Kelliher advised it should be forwarded Inspectors Andrew DaCruz and Tim Mendes.

The following legal notice submitted by the Planning Board was reviewed and approved by Board members:

- Site plan regarding Vanished Valley Brewing, Inc., 782 Center Street (Assessors' Map 17 – Parcel 120) for expansion/addition to existing building usage and microbrewery. Public hearing will be held on December 13, 2018 at 7:00 p.m.

Dr. Kelliher advised that the Select Board will be supplying the Board of Health with a copy of their meeting minutes for the 6 pm joint meeting tonight to interview candidates for the Board of Health position.

The Board decided once the Massachusetts Health Offices Association posts their 2019 Membership Application online, the Board of Health will submit an application and the \$60.00 membership fee.

Dr. Kelliher informed the Board regarding receipt of the grant with South Hadley for tobacco establishment inspections. Merridith O'Leary is the new Tobacco Coordinator.

Special Permit granted by the Planning Board on Applicant Barbara Capuano, Center Street (Bondsville Road & Piney Lane) for 2 Estate Lots was reviewed by Board members.

The Board reviewed the Board of Appeals vote of 5 to 0 approving the variance for applicant Michael Scibelli of a property located at 347 Ventura Street.

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

- Nicole & Gannon Longtin, 68 Ray Street
- Karen A. Arpin, 28 Nash Hill Road
- Leonard Belisle Life Estate, 330 Sewall Street

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Septic pumping reports submitted by Modern Septics were reviewed by Board members.

The November 20, 2018 NACCHO Connect (National Association of County and City Health Officials) was read by Board members.


The following Food Recalls were reviewed by Board members:

- The Pictsweet Company Recalls 8-ounce Steam'ables Asparagus Spears due to Potential for Listeria Monocytogenes
- Nor Cal Food Solutions, LLC Issues Allergy Alert on Undeclared Tree Nut – Walnut in the Purveyors Kitchen – Pumpkin Pesto Tapenade
- Oscor Inc. Issues Recall Product Expansion of TB – Temporary Bipolar Pacing Lead (Unshrouded 2 mm Pins Models)
- Recall of Green Cedar Dairy Ackawi Cheese Bearing a Sell by Date of March 26, 2019 or Later
- Chukar Cherries Issues Allergy Alert on Undeclared Milk in 7.5 oz Amaretto Rainer Chocolate Cherries Pouches
- The Quaker Oats Company Issues Voluntary Recall of a Small Quantity of Cap'n Crunch's Peanut Butter Crunch Cereal Distributed to Five Target Stores Due to Possible Health Risk
- Jay Robb Enterprises Issues Allergy Alert on Undeclared Milk Allergen in Unflavored Egg White Protein

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

Meeting adjourned at 5:50 p.m.

Respectfully submitted,



Carolyn Rogowski
Secretary