

Ashland Board of Health Meeting Minutes

Ashland Town Hall, Meeting Rooms B/C

April 12, 2016 – 7:00 P.M.

Mary Mortensen, Chairman
Charles Legassey, Vice-Chairman
Judith Margulies, Clerk

Jon Fetherston, Member
Koduvayur Narayana, Member
Mark Oram, M.P.H., Agent/Director

Members Present

Mary Mortensen, Charles Legassey, Judith Margulies, KG Narayana and Jon Fetherston

Others Present

Mark Oram, Health Director, Laura Clifford, Administrative Secretary
Daniel Keefe, EPA
Nancy Barmakian, EPA
Jim Murphy, EPA
Sharon Prybla, resident
Paul Kendall, resident
John Rossi, resident
Anthony Fiorenzo, resident
Kristen Coirssler, resident
Jeff Smart, resident
Joel Arbeitman, resident
Robert Scherer, resident
Kole Colleague, Speedway
Dona Walsh, Animal Inspector
Nancy Cleary, interview, PHN

Call to Order

Mrs. Mortensen called the meeting to order at 7:13 p.m. and announced that the meeting was being audio and video recorded.

Ms. Margulies made a motion to extend the meeting to 11:00 p.m. Mr. Narayana seconded the motion. Mr. Fetherston wanted to rejoin the Board of Health because it is very important to him, and does not want to waste time. Discussion ensued. It was noted by Mr. Oram that the meeting was posted with an end time of 9:00 p.m. Motion failed 2-3.

Citizen's Participation

None

Dan Keefe, US EPA, updates on Nyanza projects

Dan Keefe, EPA Remedial Project Manager, gave a PowerPoint presentation on the history and status of the Nyanza Superfund Site following a site walk with residents and town representatives. Many questions were posed. Mr. Keefe said that the presentation and report would be made available on the EPA website with a link on the Town of Ashland website. The Board thanked Mr. Keefe and the EPA staff.

Appointment of Animal Inspector

Mr. Oram asked for a motion that the Board again nominate Dona Walsh to the Department of Agricultural Resources as Animal Inspector. Mr. Narayana questioned whether it is under the Board of Health's purview to appoint the Animal Inspector, or the Board of Selectmen's. Mr. Narayana referenced M.G.L. Ch. 129, §15, and whether or not this paragraph of the law had ever been accepted. Mr. Narayana asked that the Board obtain clarification from Town Counsel. Mr. Oram wished he had received this information prior to the meeting in order to research. Mr. Fetherston read the motion aloud. Discussion continued. Ms. Walsh said that without the appointment she will be unable to write quarantine orders or do inspections. Mr. Fetherston made a motion to re-appoint Dona Walsh as Animal Inspector. Mr. Legassey seconded the motion. Ms. Margulies asked Ms. Walsh about information she had requested regarding animal bite reports. Mr. Oram stated that he was instructed by Town Counsel to redact any private information prior to the reports being released. Ms. Margulies questioned why information would need to be redacted for a Board of Health Member, but not the Board of Selectmen. Mr. Fetherston said that based on his experience, he believes this to be correct. The Board voted 3-1-1 to approve Dona Walsh as the Ashland Animal Inspector.

Speedway, Waiver Request – Installation of external grease interceptor

Kole Kolegue, Lead District Manager, representing Speedway, LLC, requested a waiver from the installation of an external grease interceptor. Mr. Oram explained that this location has a septic system on site, which is in good order, and that Speedway will be adding a food preparation area for heating of pre-cooked foods. Mr. Oram confirmed that he has reviewed their septic system and the food establishment plan. Mr. Oram recommended the Board approve the waiver, conditional to yearly review. Mr. Narayana suggested that a written approval/statement from DPW and/or the Plumbing Inspector be placed in the file of facilities which receive waivers. Mr. Narayana also suggested that an annual fee be charged to facilities who are applying for a waiver. Mr. Legassey made a motion to accept the request for the external grease trap waiver from the Town of Ashland's regulations through December of 2016. Mr. Narayana seconded the motion. The motion was approved 5-0.

Nancy Cleary, B.S.N., Public Health Nurse Interview

Mr. Oram explained to the Board that since there was only 7 minutes left to conduct the meeting, he was not sure whether this would allow sufficient time to interview the Public Health Nurse candidate. Mr. Fetherston suggested that out of respect to the candidate, possibly extending the meeting solely for the purpose of completing the agenda item, and giving the candidate the proper time necessary for an interview. Mrs. Mortensen stated that she was informed by Town Counsel that if the meeting is posted until 9:00 P.M., then it must end at 9:00 P.M. Discussion continued. Mr. Narayana said he would speak to Town Counsel regarding the meeting ending times. Ms. Margulies stated that she was surprised that there wasn't more documentation to review other than a resumé for Members to review prior to the interview, such as a job description, number of hours and a conflict of interest disclosure. Ms. Margulies said that she would like clarification as to whether the nurse would be working as an agent to the Board, or under the Health Director working under the Town Manager. Mr. Legassey made a motion to adjourn. Mr. Fetherston seconded the motion. Motion was approved 3-2.

The meeting adjourned at 9:00 P.M.

ASHLAND BOARD OF HEALTH
DOCUMENTS REVIEWED AT THE 4/12/2016 MEETING
(All items stored in the Board of Health files unless otherwise noted)

1. Mass. Department of Environmental Protection
 - a. PowerPoint Slides from Presentation by Dan Keefe
2. Speedway, LLC, Waiver Request – Installation of external grease interceptor
 - a. Letter/Request from Gray/Robinson, Attorneys at Law
3. Mass. Department of Agricultural Resources
 - a. Letter/Nomination of Inspector of Animals – Dona Walsh
4. Audio Recording of Meeting available