

Ashland Board of Health Meeting Minutes
Ashland Town Hall, 101 Main Street, Ashland, MA
Selectmen's Meeting Room, 7:00 P.M.
July 25, 2016

Jon A. Fetherston, Chairman
Charles Legassey, Vice-Chairman
Judith Margulies, Clerk

Mary Mortensen, Member
Koduvayur Narayana, Member
Mark Oram, M.P.H., Agent/Director

Members Present

Jon Fetherston, Charles Legassey and Mary Mortensen

Others Present

Mark Oram, Health Agent / Director, via mobile phone
Laura Clifford, Administrative Secretary
Michael Herbert, Town Manager
John F. Blake, resident
Mark Dassoni, resident
Steve Morgan, resident
Judy Javidpour, resident

Call to Order

Mr. Fetherston called the meeting to order at 7:00 p.m., noting that the meeting was being broadcast live on WACA-TV, and audio recorded, and that the agenda was subject to change. Mr. Fetherston said that Mr. Oram is joining the meeting by phone.

Citizen's Participation

Mark Dassoni spoke about the agenda items. Mr. Dassoni mentioned there is an error on the Town's website, that the Finance Committee minutes are listed under the Board of Health.

Steve Morgan said he had made a document request which he stated he has not yet received in a timely manner, but appreciated the documents he received tonight. Mr. Morgan said it was known that two of the members could not attend tonight's meeting and that this could have been avoided.

IG Report – Update from Town Manager

Mr. Herbert briefed the Board on the results of the report that was commissioned in response to the Investigator General's letter which the Town had received regarding the risk of potential time abuse by Mr. Oram. Mr. Herbert discussed his letter/response to the IG with the Board. Mr. Herbert stated that, going forward, permission needs to be approved to allow employees to work in other communities, adding that this will be part of a new employment policy for Town employees which states that flex time cannot be used for secondary employment.

Mr. Herbert explained that after a review of 39,000 emails, calendar entries, timesheets and information from Sherborn, Melanson & Heath concluded that “there was no evidence that Mark Oram violated his work requirement by working on Sherborn issues while on Ashland time...” Mr. Herbert said that we are pleased that this information has come out, and that Mr. Oram has now gone through two different investigations, each of which have found no evidence to support that he had committed any time fraud.

Mr. Legassey asked if this was a State law or Town preference in regards to using flex time to work a second job. Mr. Herbert said it is a Town policy, Mr. Legassey stated that this may be a labor issue if Mr. Oram is restricted from other gainful employment. Mr. Herbert said he wouldn't deny Mr. Oram the ability to work another job, but placing guidelines for transparency is important. Mr. Herbert said the new policy needs to be bargained with the labor attorneys.

Mr. Fetherston said the Town has spent a lot of time and money on this issue, and that it sounds like Mr. Murchison is still not satisfied, but in the best interest of the Town, we are done with this discussion. Mr. Oram thanked the Board of Health and Michael Herbert for the work that was put into this. Mr. Oram said he hopes he will be able to go back to outside part-time work soon.

Old and New Business

Discussion of the RTD Project

Mr. Herbert explained that Wednesday evening there will be an open forum to discuss the Rail Transit District Project, focusing on the blasting report, the culvert report and the Nyanza site in general. Mr. Herbert also wants the meeting to include a discussion on how it got to this point, and noted that there were many public meetings through the permitting process.

Mr. Fetherston made a motion that he will draft letters to DEP and EPA asking them to state their official position in writing, that it will instill confidence with the public. Mrs. Mortensen seconded the motion. The motion was approved 3-0.

Mr. Legassey thinks the Board of Health often gets missed, but should be on the front lines. Mr. Herbert agreed and said we need to look at our process going forward. Mr. Herbert said there are two other phases of this project and it will be important to have discussions in proper sequence. Mr. Herbert said Dan Keefe of EPA has done a lot of work relating to the Nyanza site, they are willing partners but have limited resources.

Mr. Oram said the entire process needs to be watched by the appropriate people at all times; the culvert report is concerning, and having enough personnel during blasting is also concerning. Mr. Oram stated that we should request continuous oversight by DEP throughout the process. Mr. Oram said that the developers will be requesting a plumbing waiver to the State Plumbing Board which will need to go through the Board of Health to use alternative piping. (Mr. Herbert left the meeting at 7:39 p.m.)

Vote on Permits for the Dragonfly Festival

Mr. Fetherston commended Andrea Green for organizing the Dragonfly Festival and for being a great Town volunteer. Mr. Oram said that he will review the applications prior to them being issued. Mr. Legassey made a motion to approve the permits as presented. Mrs. Mortensen seconded the motion. The motion was approved 3-0.

Acceptance of Minutes: June 21, June 27, 2016 and July 7, 2016

Mr. Fetherston noted that only 3 members were present at the June 21st meeting, and they could not take action on that set of minutes. Mr. Oram suggested that Members could watch or listen to the meeting and could then vote on approval.

Mr. Legassey made a motion that the Board accept the minutes of June 27, 2016 with the amendments as presented. Mrs. Mortensen seconded the motion. The motion was approved 3-0.

Mr. Legassey made a motion to accept the July 7, 2016 minutes as amended and presented tonight. Mrs. Mortensen seconded the motion. The motion was approved 3-0.

Future Board of Health Meeting

Mr. Fetherston noted that August 16th is the next scheduled Board meeting, but will schedule an additional meeting if the Board feels there is a need.

Adjournment

Mr. Fetherston suggested a motion to adjourn. Mr. Legassey so moved the motion. Mrs. Mortensen seconded the motion. The motion was approved 3-0. The meeting was adjourned at 7:49 p.m.

ASHLAND BOARD OF HEALTH
DOCUMENTS REVIEWED AT THE 7/25/2016 MEETING
(All items stored in the Board of Health files unless otherwise noted)

1. IG Report – Update from Town Manager
 - a. Draft letter/response from Town Manager to Investigator General
 - b. Draft report from Melanson and Heath on investigation
2. RTD Discussion
 - a. Culvert Report
 - b. Blasting Report
3. Dragonfly Festival – Food Permit Applications
4. Draft minutes, June 21, 2016, June 27, 2016, and July 7, 2016
5. Audio Recording of Meeting Available