

TEWKSBURY BOARD OF HEALTH

Minutes

October 7, 2004

Chairman Stephanie Wilkie called the meeting to order at 7:05 P.M at the Town Hall Auditorium. Present at the meeting were, Vice Chairman Edward Sheehan, Clerk Philip French, Thomas Churchill, Director of the Board of Health Thomas Carbone and Recording Secretary Dawn Cathcart. Jennie McCarthy was not present.

**Public Hearings**

**Waste Management of NH – Show Cause to Revoke Permits**

John Farley and Chuck Ward appeared for the Show Cause Hearing for Waste Management of NH.

Mr. Carbone stated that the compliance plan was faxed to the office last Thursday.

Mr. French stated that there are a number of businesses that border residential property and a list was compiled. Note was made that Waste Management is not the only carrier in some locations. Ed Crosby is making a list, so the other carriers should also be notified. Ms. Wilkie asked how this could be done. Mr. Carbone stated that the office could notify the carriers and make sure each has a license. Ms. Wilkie asked what penalties are involved and if there are tiers. Mr. Carbone replied no, it's either comply or not. The board could pull the license or file a criminal complaint or have a non-criminal citation issued with administrative penalties. Mr. French stated that the complaints should be registered and all other carriers should be notified.

Mr. Ward thanked Mr. French for his work on this issue. Mr. Ward stated that he could provide a list of locations that have other carriers.

Ms. Wilkie stated that she was annoyed last meeting because it seemed like the residents complaints were not being addressed.

**MOTION** - Mr. French made a motion to close the public hearing and allow Waste Management to continue collection in Tewksbury subject to the following conditions:

1. Those 39 properties on the presented list will be collected between 7:00 AM and 7:00 PM.
2. If other complaints are received, the list shall be revised and resubmitted to the Board.
3. Failure to comply will result in reappearance before the Board.

The motion was seconded by Ms. Wilkie and unanimously voted 4-0.

**Toufic Farhat for Z-Mart Convenience Store, 1300 Main Street – Variance Request to Allow One Unisex Bathroom in a Food Establishment Where Two Bathrooms are Required**

Mr. Carbone read the public hearing notice.

Mr. Farhat appeared for the variance request. Mr. Carbone stated that Mr. Farhat is going to open a small convenience store. The rules and regulations require a food service establishment to have men and women's handicap bathrooms. The variance is for one unisex handicap bathroom.

Ms. Wilkie asked if the store would sell hot dogs or popcorn. Mr. Farhat replied no, he would sell prepackaged food only.

Mr. Sheehan asked what the square footage of the space was. Mr. Farhat replied 750 SF.

Ms. Wilkie asked if the space was handicap accessible. Mr. Farhat replied yes.

TEWKSBURY BOARD OF HEALTH

Minutes

October 7, 2004

**MOTION** - Ms. Wilkie made a motion to approve the variance for 1300 Main Street with the following conditions:

1. The store shall sell only prepackaged foods, with the addition of freshly brewed coffee if desired.
2. The variance is not transferable; any future business owner must re-apply for the variance.

The motion was seconded by Mr. Sheehan and unanimously voted 4-0.

**Director's Report**

Mr. Carbone stated that a horse in Billerica died of EEE. There was a conference call with Mosquito Control and the Billerica health Department and that spraying was done within a 1 mile radius of where the horse was. Animal Inspector Gorassi notified all horse owners and Tewksbury was done with its notification before Billerica started. The mosquito traps were placed in the area and so far one mosquito has tested positive, but it was a bird biter.

Mr. Carbone stated that he expects few, if any flu shots this year. The public clinics are on hold and any stock will be prioritized. Ms. Wilkie asked if infants will be done. Mr. Carbone replied that they are not high risk and the Town does not provide flu shots to children.

Ms. Wilkie asked for a water update. Mr. Carbone replied not much has changed. The perchlorate may be a by-product of sanitizing the water. Billerica and Lowell use a lot of it when cleaning their water. The staff is confident that this is the problem and DEP is looking into it. Mr. Carbone added that they are several weeks away from issuing anything. Ms. Wilkie stated that it could be three to four months away. Mr. Carbone stated that CDM is looking at using water from other communities to blend with ours. Ms. Wilkie asked if the schools were ok. Mr. Carbone stated that he met with Dr. McGrath and Joan Dey and they will be using spring water until further notice.

**Board Member Reports**

Ms. Wilkie stated that she was told that the Jade East is refusing tap water to customers. They must be using Tewksbury water to cook with, so why not give it to customers who ask for it. Ms. Wilkie stated that she is upset by this, because it appears someone is trying to profit from the water situation. Mr. Carbone stated that he will visit Mr. Seto and talk to him about this.

Roy Patterson joined the meeting to discuss the Monster Dash/Senior Stroll project. Ms. Wilkie stated that they have met a few times and this event will hopefully encourage kids and senior to exercise more. There will be pedometers, t-shirts and World Gym is offering discounted rates to senior and 2-week free memberships to High School seniors.

Mr. Patterson stated that there will be a tractor available for those who can't walk. The road will not be closed. There will be goody bags with flashlights for the kids. The t-shirts have to be to the printer by October 15<sup>th</sup>. Ms. Wilkie stated that she found a pamphlet on nutrition for kids and she would like carrots provided.

Mr. French stated that he spoke with Mr. McArdle and the art classes are working on the t-shirts. He will try to get the t-shirts early. Ms. Wilkie asked what sizes and how many t-shirts are needed. Mr. Patterson stated that there will be 600 t-shirts ranging in size from Kids Large to Adult XXL.

TEWKSBURY BOARD OF HEALTH

Minutes

October 7, 2004

Ms. Wilkie stated that the Monster Dash will start at 1:00 PM at World Gym. The t-shirt should list the sponsors, Health Department, Recreation Department, World Gym, Blair House, White Hen Pantry, etc.

Mr. French stated that the Mason's will also have a Child ID program that will be free of charge.

Mr. French stated that Chief Donovan is doing a 911 walk-a-thon at 9:00 AM the same morning.

**MOTION** - Ms. Wilkie made a motion to adjourn at 7:50 PM. The motion was seconded by Mr. French and unanimously voted 4-0.

**Approved:** \_\_\_\_\_

**Philip French, Clerk**