

TEWKSBURY BOARD OF HEALTH

Minutes

May 19, 2005

Chairman Phillip French called the meeting to order at 7:00 P.M at the Town Hall Auditorium. Present at the meeting were, Ralph McHatton, Edward Sheehan, Health Director Thomas Carbone and Recording Secretary Dawn Cathcart. Thomas Churchill and Christine Kinnon were not present.

Public Hearings

1220 Main Street, Shell Food Mart II, Dunkin Donuts, Haralampos Sideropoulos - Show Cause Hearings

Haralampos Sideropoulos appeared for the show cause hearings for the businesses at 1220 Main Street.

Mr. Carbone stated that at the April Board of Health meeting, the board voted on two dates. The first date was May 1, 2005, when a contract was to be signed to upgrade the septic system. The second date was May 31, 2005, when the system is to be completed by. The first deadline was missed. Mr. Carbone stated that Mr. Sideropoulos came into the office on May 2, 2005 requesting more time. Mr. Carbone stated that he was going to recommend a suspension of the licenses, but this past Monday work was started to update the septic system and the work was completed today. The outstanding issues are that the installer must sign the Certificate of Compliance and a certified as-built must be submitted. Mr. Carbone stated that he recommends holding the suspension in abeyance and if the May 31, 2005 date is not met, then the licenses should be suspended.

Mr. Sideropoulos stated that the system is complete and Cuoco & Cormier came by today and did a survey and they will get the as-built.

Mr. Sheehan stated that he's glad it is finally done.

MOTION - Mr. French made a motion to continue this matter in abeyance and if the paperwork is completed by May 31, 2005, then this issue will be closed. If the system is not completed by then, the suspension should take effect. The motion was seconded by Mr. Sheehan and voted 2-0. Mr. McHatton abstained.

56 River Road, Appeal of Orders

Mr. Carbone stated that an inspection was conducted May 12, 2005 by Mr. Trearchis and there is no appearance of mold growth. The appeal of orders is not necessary now.

MOTION - Mr. French made a motion to close the hearing with no action taken. The motion was seconded by Mr. Sheehan and unanimously voted 3-0.

Discussion

Summer Schedule

Mr. Carbone stated that the summer schedule should be set.

MOTION - Mr. French made a motion to set the summer Board of Health schedule as follows: 6/2/05, 7/14/05, 8/18/05, 9/8/05 and 9/22/05. The motion was seconded by Mr. Sheehan and unanimously voted 3-0.

Goals & Objectives

Mr. Carbone stated that since two members are missing, this item should be tabled to the next meeting.

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Approval of Minutes – 4/7/05 & 4/28/05

MOTION - Mr. French made a motion to approve the Board of Health minutes of April 7, 2005 as submitted. The motion was seconded by Mr. McHatton and voted 2-0. Mr. Sheehan abstained.

MOTION - Mr. French made a motion to approve the Board of Health minutes of April 28, 2005 as submitted. The motion was seconded by Mr. McHatton and voted 3-0.

Directors Report

Mr. Carbone stated that compliance checks are being done for the Tobacco Control Program. They are about a month behind schedule. The current Board of Health policy for violations/penalty is the following: 1st offence is a written warning, 2nd offence is \$50 fine and the subsequent violations can be increased fines or a suspension of their license. Within the next six months there may be updates in the violation structure and fines. Mr. Carbone added that the Fire Department also wants the lighters for sale removed from the counters.

Mr. McHatton asked what the percentage of stores checked for compliance is. Mr. Carbone stated that the goal is 100%. Mr. McHatton asked what hours compliance checks are done. Mr. Carbone replied that they vary times and also what is bought (i.e., cigarettes, cigars, chew).

Mr. Sheehan asked if there are any cigarette machines left in town. Mr. Carbone stated that they are banned from Tewksbury except in members only areas of private clubs. Mr. Carbone added that some stores now have magnetic scanners to run licenses through and check ages.

Mr. Carbone stated that there was a sewer backup on North Street Saturday night. This was due to grease in the line. They are still trying to narrow down the source. Monday night there was a water main break. Tuesday there was a sewer pipe break on a force main at Andover Street. There is about 1.18 miles of pipe and the best estimate is that 1,800 gallons of untreated sewage went into the catch basin near Ames Pond. There is a little environmental damage from the sewage. They have water sampling stations set up. This should be cleared up within a week. The DPW crew finished at 5:30 AM yesterday and they did a super job on all of these problems.

Board Member Reports

Mr. French stated that they need help with Environmental Day this Saturday. Mr. Carbone stated that Raytheon will be sending 2-4 people to help out. They will be accepting drywall, metals, tires, car batteries, household hazardous waste - \$20 user fee, propane tanks - \$3 per tank, TVs and monitors (CRT) - \$10, and used oil. The user fees are the only way that this program can function.

Mr. McHatton asked if these figures have been advertised. Mr. Carbone replied yes, in the paper, on Channel 10 and on the recycling calendars. Mr. McHatton suggested sending flyers home through the school.

MOTION - Mr. French made a motion to adjourn at 7:35 PM. The motion was seconded by Mr. McHatton and unanimously voted 3-0.

Approved: _____

Christine Kinnon, Clerk