

Board of Health
Meeting Minutes
April 3, 2018 – 7:00 P.M.
Ashland Town Hall, 101 Main Street, Ashland, MA
Board of Selectmen Meeting Room

Ronald Etskovitz, Chairman
Jon A. Fetherston, Vice Chairman
Mark Oram, Agent/Director

Koduvayur Narayana, Clerk
Chris Daniele, Member
Judith Margulies, Member

Members Present:

Ronald Etskovitz, Jon Fetherston, Koduvayur Narayana, Chris Daniele and Judith Margulies

Others Present:

Mark Oram, Health Agent/Director
Laura Clifford, Administrative Secretary
Mark Dassoni, Resident
Rick Araya, Resident
Elaine Kelley, Resident
Samantha McDonough, Resident
Pankaj Anghan, Resident
Ann Marie Connolly, Connolly Bus Co.
Steve Sullivan, CEO, Connolly Bus Co.
Stephen Connolly, Operations Mgr., Connolly Bus Co.

Call to Order

Mr. Etskovitz called the meeting to order at 7:06 PM and noted that the meeting was being video and audio recorded. Mr. Etskovitz thanked the Connolly's for coming to the meeting tonight.

Citizen's Participation

Mark Dassoni commented that he has been observing Cadillac Paint, the two buildings on the right side are down and things are progressing as they should be.

Steve Sullivan, Connolly Bus, appointment to review status at bus lot – 7:15 PM

Mr. Etskovitz stated that he appreciates the representatives from Connolly Bus Company coming to the meeting tonight; by extending themselves this way shows that they care, adding that this meeting is meant to be informational, and not confrontational.

Ms. Margulies suggested that since it is not yet 7:15 PM, the Board may want to wait to take up the Connolly Bus discussion to ensure all interested parties have arrived. The Board agreed to move up the discussion on the food permit application.

Status update on revised Food Permit Application (K. Narayana)

Mr. Narayana thanked Mark and Laura for getting the draft application to the vendors for feedback, and Chris for revising and editing the application. Mr. Oram added we will be removing the line for vendors to fill in their social security number or FIN number, this was approved by the Treasurer's Office.

Ms. Margulies made a motion that we accept this (revised application) as written except for small typos that we can address. Mr. Oram stated that it is difficult to enforce compliance that a Certified Food Manager notify the Board of Health when leaving that job, as is stated on the form. Discussion continued regarding the form, and the electronic version of the form. Mr. Oram noted that it never hurts to run new forms by Town Counsel. Ms. Margulies amended her motion to add "after approved by us, that Town Counsel look at it, and if there are any legal issues, it come back to the Board for a re-look". Mr. Narayana seconded the motion. Mr. Etskovitz stated it would be more logical to have it approved by legal first and then vote on it.

Mr. Daniele was also concerned with the sequence. Mr. Oram suggested that it be sent to Town Counsel and DPH for review first, and then come back to the Board.

Mr. Etskovitz called for a vote. The motion failed 2-3-0 (Daniele, Etskovitz and Fetherston opposed).

Mr. Fetherston made a motion that we send the form, as presented, to Legal Counsel and Town management and send to DPH and then take it up on the next agenda. Mr. Etskovitz seconded the motion. The motion was approved 5-0.

Steve Sullivan, Connolly Bus, appointment to review status at bus lot

The Board invited the representatives of Connolly Bus and the resident/abutters and Mark Dassoni, to join the table. The parties introduced themselves.

Mr. Fetherston discussed the premise of how the meeting came about, and would like this to be a neighborhood discussion to work things out, and hopes we can come up with some solutions.

Steve Sullivan noted that he watched the video of the last Board of Health meeting and is concerned that the residents are coming to the Board of Health, rather than contacting them directly. Mr. Sullivan stated that great care is taken in regards to fueling, explaining the process of fueling and protocol in the event of a spill. Mr. Sullivan stated they are preparing the next steps they agreed to do and are trying to be good neighbors. Mr. Sullivan stated that he feels there has been some harassment with people watching them, driving by and making gestures and said it needs to stop.

Elaine Kelley discussed the issue of the spotlights and stated that there are things in the Decision that have not yet been resolved. Ms. Kelley stated things have been better with the direction of the buses when they pull out. Pankaj Anghan stated it is frustrating not knowing the timeframe. Mr. Sullivan said the parking lot will get striped, and the installation of the stockade fencing will begin when school is out in June. They plan to meet with the neighbors to discuss buffer trees and determine which trees they want to keep/remove.

Ms. Margulies inquired as to the number of buses, and the breakdown of the number of buses by town; Mr. Sullivan noted he did not have the information offhand, adding they are not exceeding the number allowed. Ms. Margulies asked Mr. Sullivan to provide the information. Mr. Sullivan noted the buses are inspected by the State and this is an approved use. Discussion continued as to the relevance of the request. Mr. Narayana inquired as to the emissions and whether the buses could be positioned away from the homes to alleviate the emitted diesel exhaust fumes of many buses at one time. Mr. Sullivan stated the engine emissions are well below EPA standards.

Ms. Kelley suggested, and Mr. Sullivan agreed, to provide the residents with a timeline. Mr. Daniele suggested email may be the best way to communicate, all parties would then have the history of the dialogue, and timelines and updates could be communicated. Mr. Fetherston is glad there is progress tonight, and suggested during the break, email addresses be exchanged. Mr. Etskovitz said it seems the lines of communication are open and if we can help facilitate in any way to let us know.

Mr. Fetherston made a motion to take a ten minute recess. Mr. Etskovitz seconded the motion. The motion was approved 5-0.

The Meeting recessed at 8:38 PM.

Mr. Etskovitz called the meeting back to order at 8:47 PM.

(The representatives from Connolly Bus and the abutters had left the meeting during the break.)

Ms. Margulies made a motion related to the previous topic to investigate, for the purpose of producing a written report concerning the complaints of local residents and issues previously brought up by Board Members since February of 2017, under our jurisdiction, under General Laws, Chapter 111, Sections 31, 122 and 143, for basis for action, forward or dismissal, and the funds come from the investigation to be done by an independent party such as a consultant who is versed in public health investigations, not to exceed the

amount of \$500 but hopefully within in the range of \$250-\$300. Board Members asked for clarification. Ms. Margulies stated this would be for the purpose of creating an investigative report by someone on our behalf for us to consider whether or not to take action. Mr. Narayana suggested that we wait to give some time after tonight's sit down with the Bus Company and residents, to see if things resolve. Mr. Daniele agreed that the Board should see if they follow through on their contractual obligations before taking action. Ms. Margulies stated this is the Board's job and does not believe we're doing it. Mr. Fetherston disagreed with the motion, the discussion became heated. Mr. Narayana made a motion to recess. Mr. Etskovitz seconded the motion. The motion was approved 5-0.

The Board recessed at 9:07 PM.

The Board reconvened at 9:13 PM

(Ms. Margulies left the meeting during the break.)

The Board agreed that the motion made by Ms. Margulies failed, as the motion was not seconded.

23 Pilgrim Road, Irrigation Well Review

Mr. Oram explained to the Board that this residence is on Town water and sewer, the owners have applied for a well which will be installed in the front of the home and is for irrigation only. Mr. Oram explained the regulations, and the testing that will be required. Mr. Oram recommended approval based on the plan and his review. Mr. Etskovitz made a motion to go along with the Health Agent's recommendation and approve the well for irrigation only. Mr. Narayana seconded the motion. The motion was approved 4-0.

Adult Use Cannabis – Possible Future Public Forum / Discussion

Mr. Etskovitz explained that he spoke to the Town Manager who thought having a public forum on adult use cannabis was a good idea and suggested that he reach out to the BOS Chair, Rob Scherer, to get his thoughts. Mr. Daniele noted the importance of keeping the distinction between medicinal and adult use cannabis. Mr. Etskovitz stated that whether or not adult use cannabis is approved by the Town, Ashland will be impacted by it. Mr. Fetherston added that it is legal to grow marijuana in a home and it is important that we have all of these conversations. Mr. Narayana explained that the Town will vote on whether or not it wants to opt out of adult use marijuana and, if approved, we will need to work on what types of regulations we need to bring in. Mr. Fetherston added there is still a moratorium in place until the end of the year.

Discussion on Trichome Health (K. Narayana)

Mr. Narayana explained that Trichome attended a Board of Selectmen meeting recently and it would be a good idea if they would also attend a Board of Health meeting; adding, because they have the Permit for medical use they could get permitted for the adult use also. Mr. Oram said he would get the contact information from the Selectmen's office.

Wellness Committee / Storm Water Committee, Discuss whether to appoint a Member/Liaison

Mr. Etskovitz explained that he spoke to the Town Manager regarding the Wellness Committee. A letter was sent to Paul Vieira, Assistant Superintendent, who said they would be glad to have a Board Member/Liaison if possible. Mr. Narayana volunteered to attend their meeting on May 21st and will see how it goes. Mr. Etskovitz stated that Mr. Herbert told him that the Storm Water Committee may have reduced the number of members and that he would look into it.

Health Agent /Director's Report

Nalaxone Grant

Mr. Oram discussed the Nalaxone Grant, and the training he and the public health nurse have received, the next step is training the trainer. Mr. Oram discussed the press release, and the information will now go to the local press and the website. Mr. Oram stated the first line of defense is to always call 9-1-1.

Budget

Mr. Oram discussed the budget and noted that the budget line item for contracted services will need additional funds. The final FY19 budget should be available soon.

CHNNA Meeting

Mr. Oram discussed the CHNNA meeting he attended which was excellent. Mr. Oram discussed the panel members who were very inspiring. Mr. Oram discussed the jail aversion program, and the problems that recovering addicts encounter when job searching. Mr. Oram stated this was a powerful meeting and was all about saving lives.

Cadillac Paint

Mr. Oram was very happy to update the Board on the demolition of three of the buildings at Cadillac Paint. Mr. Oram stated that many people were involved in getting it to this point, the history was discussed and all agreed it is good that it is finally over.

Flu Clinic

Mr. Oram reported that we are currently working together with our public health nurse on some concepts for a flu clinic, adding that many other towns are dealing with the same issue of the pharmacies taking over the public vaccine programs. Mr. Oram discussed the Medicare reimbursement program and noted that the Town Manager has agreed to put money back into this budget. Mr. Narayana inquired, and Mr. Oram responded, that there is no advantage to having vaccinations through the Town opposed to at a local pharmacy.

Region 4A/B – Public Health Preparedness updates

Mr. Oram explained this meeting was with other Health Agents from 34 communities in which information was shared regarding regionalization and future budgeting. Mr. Oram will be serving as the secondary Medical Reserve Corps representative for regional emergency preparedness, Jim White of Natick is the primary.

Mr. Fetherston made a motion to extend the meeting to not exceed 10:15 PM. Mr. Etskovitz seconded the motion. The motion was approved 4-0.

Nyanza Advisory Committee Meeting

Mr. Oram discussed the Nyanza Advisory Committee Meeting he attended as an advisor, Mr. Fetherston attended as a Member. Mr. Fetherston explained that counsel is concerned that the proposed By-law could potentially cause an issue, and is a matter of defining the line. Mr. Oram added that the map is constantly living and changing due to the moving plume.

Mr. Oram explained to Mr. Daniele that we work with a Regional Tobacco Control Officer and explained the revolving fund that we use for this service. Mr. Oram discussed juuling, adding it is a serious issue and we will be working together regionally with Natick and Decisions at Every Turn.

Mr. Oram noted we are down to 50 sharps containers, and is thankful that Mary Mortensen started this program. We are asking for money through the BAA Grant to replenish the supply.

Consideration of Minutes, March 20, 2018

Mr. Narayana requested the agenda be added to the list of documents listed. Mr. Narayana made a motion to approve as amended the minutes of the meeting dated March 20, 2018. Mr. Fetherston seconded the motion. The motion was approved 4-0.

Discuss, future meeting dates and agenda items

Mr. Etskovitz reviewed the topics discussed and actions to be taken.

The Board discussed future meeting dates; April 17 and May 1, 2018.

Adjourn

Mr. Narayana made a motion to adjourn. Mr. Daniele seconded the motion. The motion was approved 4-0. The meeting adjourned at 10:15 PM.

ASHLAND BOARD OF HEALTH
DOCUMENTS REVIEWED AT THE 4/3/2018 MEETING
(All items stored in the Board of Health files unless otherwise noted)

1. April 3, 2018 Meeting Agenda
2. Draft letter/request to Harriette Chandler, Massachusetts Senate President
3. Health Agent/Director list of meeting topics for report
4. 23 Pilgrim Road, proposed irrigation well plan
5. Audio Recording of the meeting is available