

MAY 14, 2015
STERLING BOARD OF HEALTH MEETING
BUTTERICK MUNICIPAL BUILDING
1 PARK STREET, ROOM 205
STERLING, MA 01564
MEETING MINUTES

BOARD MEMBERS	Gary Menin, (Menin) Chairman Allen Hoffman, (Hoffman) Vice Chairman Donna Clark, (Clark) Clerk	
BOH STAFF	David Favreau	
ATTENDEES	Mike Cove Holly Shaw Russ Philpot	Brian Favreau L.R. Favreau John Thompson
SECRETARY	Elaine Heller	

6:30 PM - Meeting was called to order

Approval of Minutes:

4/9/15 Minutes – (Joint Selectboard Meeting - Hosted by BOH) After discussion, motion to accept as modified by Menin/Hoffman (via separate earlier emails to D. Favreau) - Hoffman, seconded by Menin. Motion carried.

3/12/15 Minutes - Motion to approve made by Hoffman, seconded by Menin. Motion carried.

3/7/15 Minutes – (Joint Finance Committee Meeting – Hosted by FinCom) Motion to approve was made by Hoffman, seconded by Clark. Motion carried.

4/22/15 Minutes – (Joint Selectboard Meeting - Hosted by Selectboard) Motion to approve was made by Hoffman, seconded by Clark. Motion carried.

4/23/15 Minutes – (Agent Performance Review) Motion to approve was made by Hoffman, seconded by Clark. Motion carried.

Correspondence - None

Reorganization of BOH - as follows: Allen Hoffman, Chairman
Donna Clark, Vice Chairman
Gary Menin, Clerk

A motion to approve the reorganization was made by Hoffman, seconded by Menin. All were in favor and the motion carried.

Health Agent Report

40 Bean Road - Title 5 Inspection. Mr. Cove provided information on this inspection and submitted an application to replace the septic tank as it has been determined to be compromised.

MPHN inspections request process - LR Favreau Company advised that scheduling issues have become a concern with the temporary absence of Kathie Nickerson, the assistant health agent. Health Agent David Favreau has been filling in. Attendees at the meeting who are directly affected indicated the process is taking too long and a qualified person other than the Health Agent should be doing the work. Hoffman stressed that the BOH cannot hire someone, but they are working to resolve the problem. He also indicated that MPHN deals directly with the BOH, not with clients for inspections, but (according to Messrs. Hoffman & Favreau) there currently are problems with the MPHN contact and untimely responses. LR Favreau Company representatives in attendance advised that they did not have any issues with the MPHN contact. Menin offered to interface between the LR Favreau Septic business and MPHN because of the ongoing familial conflict that has been problematic for an extended time, but Hoffman and Clark consider that the Health Agent must remain the alternate contact.

Holly Shaw, Brian Favreau and L.R. Favreau wanted it noted on record that they do not want the Health Agent involved in any of their projects or business interactions.

Hoffman made a motion to have the Health Agent continue with scheduling. Seconded by Clark and opposed by Menin, The motion carried.

Hoffman made a motion to allow Health Agent, David Favreau, to participate in office administrative work regarding applications filed by the L.R. Favreau Company that would require inspections by the MPHN inspector. Such administrative work would typically include researching and copying BOH records and forwarding them to the MPHN inspector who would then perform the inspections. The motion was seconded by Clark. In anticipation of a discussion as to whether these duties would constitute a conflict of interest, David Favreau had met with the Town Administrator and placed a phone call to the state Ethics Commission. Both of these parties felt that this change did not constitute a conflict of interest and suggested that David Favreau's disclosure statement should be modified to clarify this issue. After considerable discussion, the motion was approved; Hoffman and Clark in favor, Menin opposed. The motion carried.

Dust Complaint at 50 Princeton Road - The dust is a result of Pandolf-Perkins blasting at the stone quarry. The problem is being addressed by wetting down the area and sounding an alarm before the blast. They also have a call list for those who want to be notified when a blast is to occur. The Health Agent made no observation of dust.

Public Records Request for 239 Redemption Rock Trail - response has been sent by Mr. Favreau.

Educational Meeting - Favreau noted there will be a meeting on lessons in legal liability on June 18, 2015, which he thinks would be good for board members to attend.

Food Permit for Farmer's Market - John Thompson, representing Thompson's Maple Farm in New Braintree, requested a food permit to sell prepackaged ice cream. Menin expressed concern that the BOH approval documentation was being signed before Thompson's Maple Farm was actually inspected by the Health Agent. However, it was explained that as the food is prepackaged it is no different than any other prepackaged foodstuffs that make their way to Sterling for resale. Clark made a motion to approve, seconded by Hoffman. All in favor and the motion carried.

Agenda Items

Hoffman discussed the issue of back pay for Jane Brunetta, the former recording secretary for the BOH. She is no longer eligible for the Senior Tax Workoff Program. Hoffman will check with the Finance Committee to determine if there needs to be an article presented at the next Special Town Meeting to implement payment.

MPHN inspector Performance Evaluation - This evaluation is due in June and there is a form to be completed. Favreau will complete this form and identify current issues. Menin would like the inspector at the evaluation to discuss the problems so she can respond and/or take corrective action as applicable. Menin will contact the inspector so she can attend the next meeting, which is scheduled for June 4, 2015, at 6:30 PM.

Holly Shaw requested that four inspection requests be handled as soon as possible. David Favreau will email MPHN to get these expedited.

Adjourn - Clark made a motion to adjourn the meeting, which was seconded by Menin. Motion carried and the meeting adjourned at 8:06 PM.