



## **BOARD OF HEALTH MEETING**

June 23, 2015 – 6:30 PM  
Rockport Town Hall Annex

**Present:** Board members Dr. Sydney Wedmore-Chair, Dr. Russell Sandfield, Dr. Sydney Jimenez, Health Agent Leslie Whelan, and Secretary/Clerk Marianne Peters. Also present were Carolyn McWilliams (331 Granite Street), June Hayes, Mark Richard, John Belsan, Joe O'Donnell (338-340 Granite Street) Brad Atkinson, and two co-owners of Lobster Pool Restaurant. Absent: Mitchell Vieira, Assistant Town Administrator.

**6:30 PM:** Meeting called to order.

### **Community Concerns:**

None.

**Minutes of May 26, 2015 meeting:** Dr. Sandfield moved to approve; Dr. Wedmore seconded and it was voted unanimously to approve.

### **Food Inspector Update:**

Laura Osmond, Food Inspector, gave update on the food establishments in town. The subject of trash barrels at the take-out establishments (and the general barrels scattered throughout the downtown area) overflowing was discussed. Dr. Wedmore stated that each takeout place must have a trash barrel and the Board members discussed how overflowing trash and garbage is neither healthy nor aesthetically pleasing. Dr. Wedmore stated that the Food Inspector shall enforce the Board of Health requirement for private barrels and stated that they should be given one week to comply; otherwise, their food permit would then be revoked. Dr. Wedmore motioned for the DPW to empty town trash barrels twice per day on Saturdays and Sundays and suggested in the morning and in late afternoon. Dr. Sandfield seconded and it was voted unanimously to charge the DPW with emptying the barrels twice per day on weekends from Memorial Day Weekend through Columbus Day and if necessary, to use reserve funds to do so.

### **Lobster Pool Restaurant:**

Abutter to Lobster Pool, Carolyn McWilliams, requested that the Board of Health order Lobster Pool owners to remove the dumpster in between the two properties to another location due to odors, noise, legally too close to her property; (dumpster was 4' from her home and the law states 20'). Several neighbors, the owners of the Lobster Pool, and the Board members discussed how/where the dumpster could best be located, the frequency of emptying and deodorizing, and arrived at moving the dumpster to a spot more so on the restaurant property frontage on the southeast corner of building. The Board to revisit the matter in one month and have a report from Health Agent on progress/remediation.

### **Discussion/Update of Board of Selectmen 6/16/15 Meeting:**

Dr. Wedmore updated the Board on the meeting of 6/16 to discuss the fluoridation spigot by-pass for residents wishing no adding fluoride to the water supply. Dr. Wedmore would like to discuss with Paul Sena and to come up with a plan to allow residents the option. Dr. Wedmore would like to add this to DPW Commission's next meeting agenda. The Board members sent (for informational purposes) a memo to Paul Sena/Chairman of DPW Board of Commissions, Joe Parisi/DPW Director, and Chris Martin/Operating Officer of Rockport's Water Treatment Plan about the U.S. Public Health Service's new recommended levels of fluoride in municipal drinking water.

### **Proper Disposal of Dog Waste:**

Review of draft letter to neighborhood association regarding improper disposal (or lack thereof) of dog waste by pet owners. Board members want a letter sent to the presidents of the various neighborhood associations (South End, Andrews Point, and others) and ask them to pass the letter/information on to their respective members. The letter should go out before the fall and if possible, an article or paragraph be put in the local newspapers. The Administrative Assistant will work with newspapers to publish as well.

### **Update/Sandy Bay Estates-Housing Violations:**

Continuation of several complaints at Sandy Bay Estates by various occupants/tenants. Health Agent Leslie Whelan has upcoming Probable Cause Hearing on the matter. Additional apartments since last Board meeting were inspected (mold was found) and Health Agent Leslie Whelan states that she continues to get requests and calls for inspections by tenants.

### **E-Cigarettes/Tobacco Regulations:**

Continuation on discussion about e-cigarettes and the need for identifying areas where e-cigarettes would be allowed. The Board agreed to ban e-cigarettes and tobacco smoke in the following places; (per the Local ETS Regulation Checklist); all 3 Board Members agreed to ban smoking and e-cigarettes in:

- Smoking Bars (Cigar Bars and Hookah Bars)
- Retail Tobacco Stores (tobacconists and smoke shops)
- Buffer Zones Around Municipal Building Entrances (50' away)
- Municipal-Owned Athletic Fields, Parks, Playgrounds
- Nursing Homes
- Hotels, Motels, Bed & Breakfast Rooms
- Outdoor Restaurant/Bar Locations
- Public Transportation, Bus, and Taxi Waiting Areas

### **Health Agent Update:**

Housing: 12 Sheehan Terrace. Dr. Wedmore directed Health Agent to impose violations and fines for infractions and any reinspections needed.

Lobster Pool/329 Granite Street Septic: Health Agent stated that in 1986, the Board of Health allowed conversion of the 5,000 tight tank to a system with a leach pit to serve as a septic system for apartment use in winter. The 5,000 gallon tank was meant to be pumped as a tight tank during restaurant season. System will be reinspected in July.

**Next Meeting Date:**

Next meeting to be held on Tuesday, July 28, 2015. Agenda Prep meeting July 16<sup>th</sup> @ 8:30 a.m.

Dr. Wedmore moved to adjourn; Dr. Sandfield seconded; approved unanimously.

**9:00 P.M.** Meeting Adjourned.