



BOARD OF HEALTH MEETING

February 23, 2016 – 6:30 p.m.

Rockport Town Hall Annex

Present: Board members Dr. Sydney Wedmore - Chair, Dr. Russell Sandfield, Dr. Sydney Jimenez, Health Agent Leslie Whelan, Assistant Town Administrator Mitchell Vieira, Public Health Nurse Regina Ghidella, Food Inspector Laura Osmond, and Administrative Assistant Marianne Peters.

Absent: Board Member Dr. Bruce Cohen.

6:30 p.m. Meeting called to order.

Review Minutes of December 8, 2015 Meeting:

Dr. Wedmore made a motion to accept; Dr. Sandfield moved to approve, Dr. Jimenez seconded, and was voted unanimously to approve the minutes.

Community Concerns:

Public Health Nurse Jean Ghidella asked the Board if they would be amenable to her organizing a Diaper Drive (similar to that done by Gloucester BOH) in April for community families in need. Dr. Wedmore stated that in addition to the Diaper Drive, it would be good for the Public Health Nurse and the Board to identify other ways to assist those in need; Public Nurse to find info from Action and other agencies for a list of families who would benefit from similar outreach efforts. Dr. Sandfield will speak about it at Rotary Club. Dr. Wedmore asked the Health Nurse if she would report every few months to the Board as part of her routine to keep the Board apprised.

Anti-Idling Law – Pam Wasserman – Request Support For Signage:

Pam Wasserman (owner of Good Dog Gallery on 49 Bearskin Neck) voiced concerns over potential health hazards with respect to idling vehicles and asked the Board's assistance with raising awareness of the state law; said she often sees vehicles idle 20-30 minutes and feels that most people are unaware of the law. Often, she stated, people 'run in' to pick up lobster, coffee, ice cream, etc. and anticipate being just a short time but due to long lines or conversations, end up being much longer resulting in excessive idling. Ms. Wasserman asked for basic promotion of the state's vehicle anti-idling and limited idling laws through signage, fliers, etc. that can gently remind people of the 5-minute law and noted that several Massachusetts communities are actively promoting awareness of the law. She stated that the aluminum signs costs \$14-\$41 each and that grants are available from the DEP. Health Agent mentioned that in the past, the DEP

sent her some anti-idling/5 -minute law signs and they're still available; there are 2 idle-free zone and 2 anti-idling law signs. Dr. Wedmore suggested placing a sign at the entrance to Bearskin Neck so as to somewhat indicate that the entire area be anti-idling rather than trying to strategically place several signs throughout the area as there are already several in general. Dr. Jimenez suggested finding an area or two that are visible but not overwhelming. Ms. Wasserman added that perhaps each store could use stickers in their storefront. Areas discussed were the entrance of Transfer Station and entrance to Bearskin Neck (and one at the school area if not already). Dr. Sandfield suggested that the DPW personnel at the transfer station to gently remind drivers of the anti-idling law.

Secretary/Clerk Marianne Peters will work with the local newspapers to help raise awareness, obtain brochures from the DEP, and work on the Town's website where it would be appropriate to add the information. It was discussed that individual shop owners could perhaps display signage and handouts within their respective shops which would be gentle reminders to the public as well.

The idling of CATA buses and tour buses was discussed and there was mention that air conditioning on tour buses to keep the buses comfortable in the summer sometimes necessitates idling. Also discussed were exceptions to the law depending upon circumstances.

Board of Health Fees – Review Current Fees:

Dr. Wedmore opened the discussion of the current Board of Health fees and if they are commensurate with the actual cost of doing business; for example, restaurant or septic inspections; is the fee commensurate with the amount of time involved by the Inspector/Agent; how much does it cost the Town to see that things are inspected and done right, etc. Dr. Wedmore stated the need for determining how much time is spent on various inspections; how much time each person (i.e. Health Agent, Administrative Assistant, etc.) might spend on a particular permit/task/etc. and to determine how many of these events (food establishment, septic, housing inspections) occur annually; from this, the Board can best get a handle on budget needs, etc. The department personnel to provide the Board with estimates of how much time their particular part of a task is spent and present the information at an upcoming (perhaps April) meeting; from the information, the Board will have idea so that will assist in adjusting the fees accordingly. If we had to 'farm out' work for recusal or other purposes, Dr. Wedmore added, we would want to ensure that our fees collected are somewhat equivalent to the open market rate of such fees. Health Agent asked Assistant Town Manager Mitchell Vieira for clarification on what can go into determination of and how to best determine the fees; Mr. Vieira stated that an average of time the department spends on the various items should be considered and that the total fees cannot exceed that amount and that it would be the *average* amount of time that a particular task takes that could be considered as the fee. Health Agent, Food Inspector, and Secretary/Clerk to give best estimate of how much actual time is involved respectively for each particular task (Septic Inspection, Food Establishment Permit, etc.) to the Board for review.

Food Inspector Report:

New Establishments:

Food Inspector Laura Osmond provided an update of Food Establishment Permits that are pending or have outstanding items/questions; namely 2 new establishments (Feather and Wedge and the Rockport Creperie). Inspector mentioned that the alcohol license requirement currently in place requires ServSafe certification but mentioned that Feather and Wedge, in order to apply for the alcohol license cannot as yet provide the required ServSafe certificate because as yet, a chef has not been hired; inquired as to how to get that done appropriately). Inspector asked if that requirement should be on the alcohol license application or would it be permissible for her to tell the Board of Selectmen that the Serv-Safe certificate is pending upon a chef being hired. Assistant Town Administrator replied that the license wording is a general catch-all and that other establishments that were not ready to open have not had issues and should be fine.

The Emerson Inn's new owners, The Migis Group, have requested that they be allowed to compost waste off site and forego the required garbage grinder/disposal as outlined in the Plumbing Code; the owners want to be environmentally friendly and this would also allow more space in the restaurant. Rockport Plumbing Inspector Joe Guzzo informed Migis that they can request a variance. Dr. Wedmore mentioned that often, garbage disposals can actually clog a sewer system and discussed several benefits of composting. The Board, after discussion, approved the request from the Board of Health's perspective, but stated that the Plumbing Inspector would need to approve/waive from the Plumbing Code. Dr. Wedmore directed Food Inspector to send a letter in favor of offsite composting to the Plumbing Inspector to indicate a waiver from the Health Department; the Migis Group will however, still need to submit for a formal variance from the Plumbing Inspector.

Trash Barrels For Take-Out Food Establishments:

Food Inspector Osmond asked if, though we rescinded the regulations for trash barrels for take-out food establishments, if she could/should continue working with the DPW & Beautification Committee on the trash barrel/shed types and locations; Dr. Wedmore replied affirmatively.

Compliance of Food Establishments That Produce Fats, Oils, & Grease (FOG)/Grease Traps:

The MassDEP and Town of Rockport have a regulation stating that food establishments that produce fats, oils, and grease must have a compliant grease trap so as to not clog the public sewer system. A handful of establishments are in non-compliance at this time; the regulation calls for updates in non-compliant grease traps for the establishments. Change-of-establishment owners with outdated grease traps present a problem; The Red Skiff, currently being sold, is an example. The Health Agent stated that establishment owners have known for some time that they must upgrade to be in compliance. The importance of compliance as an environmental matter was discussed. Dr. Wedmore stated the need for a rule to be in place for FOG upgrades and directed the Food Inspector to send the non-compliant establishments a letter stating that the DPW and Board of Health will be paying more attention to the FOG compliance, etc. and that those in non-compliance must upgrade in the near future. The subject of food inspector fees was discussed with respect to the time needed to do an inspection and whether or not the establishments should be billed. Dr. Wedmore stated that the Food Inspector should do, upon establishments being sold (much like a home inspection prior to a sale) an inspection to ensure that the establishment meets current codes and regulations and to charge the establishment for the inspection(s). Dr. Sandfield stated that the Inspector during her visit should determine if their current equipment has the capacity (and is current with code) to do what they expect. Health Agent mentioned that the establishments knew 3-4 years ago about the need to upgrade

their facilities to meet the new regulations and that there was previous discussion about a joint letter from the DPW and BOH to be sent sometime this summer saying that their Food Establishment Renewal/Permit for 2017 would not be granted unless the grease trap was in compliance and inquired if the Board would agree. Food Inspector Osmond said that she does look at the grease trap area upon visits but that the FOG Coordinator (Gary LeBlanc) does the actual inspection and reviews the maintenance logs. Dr. Wedmore directed the Food Inspector to send a letter to the DPW saying that the grease traps are a problem and as part of the Food Service Inspections, more attention will be paid to the grease traps and directed her to work in tandem with the DPW/FOG Coordinator in ensuring compliance. Food Inspector/BOH will assist the FOG Coordinator/DPW in keeping a handle on the grease traps. Dr. Jimenez stated that a letter to the Establishments saying that the fats, oil, grease have become a problem for the public sewer system and as a result, the DPW and that the BOH will be ensuring compliance, and that his will be needed for renewal of your permit. Food Inspector stated that she had visited all establishments initially and marked what they have for grease traps and asks during visits about proper disposal. Stated that the ones that need to update have been told previously and that it should be no surprise. A joint letter from DPW and BOH should go out with explicit information so they are aware of what they need.

Food Inspector to provide a number of food establishment inspections to be performed in 2016.

Health Agent Report:

Agent provided update on Title 5 Inspections, plans, housing, and other items.

Lobster Pool: A letter was sent saying that soil evaluation needs to be performed by April 15th; Agent stated that she has not been contacted as yet for soil testing. The soil evaluation will determine if there are no suitable soils available on the property to sustain a septic system. Dr. Wedmore stated to follow up with Lobster Pool on March 15th to ensure that they will be doing soil evaluation.

Narcan Availability: Health Agent stated that upon inquiring if the schools plan to carry Narcan, Superintendent Liebow stated that he is awaiting a decision from the Police Department. Dr. Jimenez stated the need for the police, school and all emergency personnel to carry Narcan and stressed the importance of doing so. She stated that Narcan should be part and parcel of any emergency medical kit for the nurses to have on hand. Dr. Jimenez stated that the decision for the schools to carry Narcan should not be under the jurisdiction of the Superintendent of Schools but rather by the Board of Health. Dr. Jimenez to write letter to school physician Dr. Carbone as well as the School Committee on the subject.

Housing: Attorney Kevin Kiely has requested a hearing on behalf of his client, Sandy Bay Estates. Town Counsel Jeff Ugino will be in attendance. Health Agent reported that complaints continue to come in from occupants for various issues. Dr. Sandfield inquired as to whether the Board members should make a site visit to see first-hand the problems and unresolved issues and asked that he be called prior to Health Agent doing next inspection. Health Agent responded that the next inspection is Tuesday, March 1st and will contact Dr. Sandfield to make arrangements.

Dr. Wedmore stated that the Board would like an additional perspective on the matter and asked that we get permission from occupants to view their apartments and/or speak with them. Dr. Jimenez added that perhaps they could view some of the vacant apartments. After discussion, Health Agent recommended that they seek the advice of counsel on the matter. Dr. Wedmore stated that upon having the requested/upcoming hearing, the Board will decide what to do.

AEDS (Automated External Defibrillators):

Dr. Wedmore discussed the Town's AEDs and the fact that there is a need for training on the devices as most people are unaware of how to use them. Discussion about the benefits of the equipment as 'seconds matter'. He stated that Public Health Nurse Jean Ghidella will be working with Rosemary Lesch of the Ambulance Department on organizing training sessions. Dr. Jimenez stated that the lifeguards stationed at Town beaches should be equipped with them and fully trained as well. The Board to write a letter to Chief of Police Horvath stating that the lifeguards have access to (and training on) AEDs.

Dog/Animal Control Officer:

Kevin St. Peter (the Town's new Dog/Animal Control Officer) stopped in to introduce himself to the Board Members, discussed his duties and availability, and responded affirmatively to the Board's inquiry if dog waste at Town beaches is one of his responsibilities. The Board asked if he would attend a meeting every 3 months or so to update them on progress, problems, and keep them apprised; responded affirmatively.

Board of Health Structure:

Discussion about the composition of the Health Department; Health Agent, Food Inspector, Public Health Nurse, and an Administrative Assistant. Dr. Wedmore stated that under the previous structure of the Health Department, the Health Agent, Food Inspector, Public Health Nurse, and Assistant all reported directly to the Board. The current structure of the Food Inspector reporting to the Health Agent will revert back to all reporting directly to the Board; this will eliminate redundancy and keep the Board more apprised of matters relative to the Department.

Dr. Wedmore discussed the need for a fifth Board member and suggested that Dr. Sandfield and Dr. Jimenez begin thinking about potential candidates.

Next Meeting Date:

Next meeting to be held on Tuesday, March 8, 2016.

Dr. Wedmore made a motion to adjourn; Dr. Sandfield moved to adjourn, Dr. Jimenez seconded, and it was voted unanimously to adjourn.

8:55 p.m. Meeting Adjourned.