

**CITY OF NEWBURYPORT
DEPARTMENT OF PUBLIC HEALTH
MEETING**

Name of Committee Meeting:

BOARD OF HEALTH

Date of Meeting: October 15, 2009

LOCATION: 2nd Floor

Conference Room

City Hall 7:00pm

NEW BUSINESS

7:00PM

Call to Order

Minutes of previous meeting, September 3, 2009

OLD BUSINESS:

1. 32 Franklin Street - Mr. George Holmes Update
2. 182 Storey Avenue - Mr. Gerald Moynahan Update
3. Crow Lane Update

NEW BUSINESS

1. Solid Waste Impact Fee

City of Newburyport

60 Pleasant Street
Newburyport, MA 01950

Newburyport Board of Health Meeting
MINUTES - October 15, 2009 7:00pm
Newburyport City Hall – 2nd Floor Conference Room

Meeting Called to Order : 7:15pm

Robin Blair O.D. Chairperson	Present
Susan Beluk M.D.	Present
Patricia Lawrence R.N.	Present
John Morris, Director of Public Health	Present
David Madden	Present
Molly Ettenborough	Present

Motion to approve minutes of September 3, 2009 meeting(with type-o change) made by Patricia Lawrence RN; seconded by Robin Blair O.D. Chairperson B.O.H.

OLD BUSINESS

1. 32 Franklin Street: Mr. George Holmes Update:

Mr. Morris advised the Board that he has not had any communication with Mr. Holmes since the day after the last meeting. He will keep the Board posted as to the progress of this address.

2. Mr. Gerald Moynahan-182 Storey Avenue

Mr. Morris advised the Board that the Health Department received a letter from Mr. Moynahan dated October 13, 2009, mailed on October 14, 2009, stating his intentions of picking up the documentation he previously requested on October 15, 2009. This documentation was

mailed to Mr. Moynahan for a second time on October 13, 2009 to the following location:

Mr. Gerald F. Moynahan
Apartment No. 13
376 West Fourth Street
South Boston, MA 02127

In addition, Mrs. Woundy called the following telephone numbers before mailing, as per Mr. Moynihan's request: 978-465-0129 & 617-268-1840.

Mr. Morris advised the Board at this time to enter all the facts into the minutes and proceed with court action. Robin Blair O.D. and Patricia Lawrence RN expressed their concern regarding the abutters and the disarray of his home and yard. Dr. Blair inquired regarding the abatement fund to be used to trim the hedges, mow the lawn, capture the animals etc. Mr. Morris agreed with Dr. Blair to utilize the abatement funds for the betterment of the neighborhood.

Motion made by Patricia Lawrence RN to proceed with legal action to comply with the Order initially given; seconded by Robin Blair O.D.

.....
Mr. Gerald Moynahan arrived at the Health Department meeting at 8:37pm.

Mr. Moynahan arrived at Newburyport City Hall, 60 Pleasant Street at 8:37pm requesting a copy of his documents which were already mailed twice to him at his request. Mr. Moynahan appeared to be surprised that a Board of Health meeting was in progress. A heated discussion occurred between Mr. Moynahan and Dr. Blair regarding the appearance of his land/house. Mr. Morris advised Mr. Moynahan of the severity of the situation as it has gone on too long and abutters have now stepped forward and expressed their concern for their family and homes. Mr. Morris advised Mr. Moynahan that his home may go into receivership. It must come into compliance under the State Housing Code.

Mr. Morris suggested to Mr. Moynahan that another inspection of his land/house take place as soon as possible. Mr. Morris also advised Mr. Moynahan that there may be funds available to assist with the landscaping and the capture of certain animals that have been roaming around his yard, as identified by his neighbors. Mr. Morris also advised Mr. Moynahan that his neighbors are willing to assist him in

the cleanup of his yard. Also, Mr. Morris stated that Mr. Moynahan needed to communicate with the Health Department. It is not fair to his neighbors. They have little children and the condition of his land/house is a violation against 105CMR 410.000.

Mr. Moynahan had no response to the offers of assistance. Mr. Morris advised the Board and Mr. Moynahan that this is now up to a Judge to decide. Dr. Blair advised Mr. Moynahan that he needs to clean the area or go to court. Dr. Blair stated that we have complied with all of his demands and it is now time for Mr. Moynahan to comply with ours. Dr. Blair ended the discussion and closed the meeting.

3. Crow Lane:

Mr. Morris advised the Board that the FML will be anchored this time and on 10/16/09 they will re-wire the flare. All signs of finally pointing to completion. Patricia Lawrence RN agreed that we are now making positive steps towards completion. Mr. Morris stated that once captured under the FML the odor will stop.

Susan Beluk MD expressed her concern regarding the abutters and all that they have been through over the years. Mr. Morris advised the Board that he has received a letter from a Law Firm requesting copies off all documentation pertaining to Crow Lane. Mr. Morris believes that this may possibly be a prelude to a lawsuit.

NEW BUSINESS:

1. **Solid Waste Impact Fee:** Mr. Morris advised the Board that the Health Department recently received a letter from "The Foundry" located on Merrimac Street requesting to be added to our municipal curbside solid waste collection. Currently they pay their own solid waste removal as stipulated in the development documents when the complex was built.

Mr. Morris and Molly Ettenborough are working on this project together. The Foundry was advised that the subject would be proposed before the Board of Health and would report back to them. The Foundry was told if considered by the Board there

would be an impact fee that must be paid. This impact fee would be based on the number of units contained within the complex. Mr. Morris recommended that the Board implement immediately an impact fee for any complexes over seven (7) units that wish to take part in municipal solid waste collection that are currently not receiving this service.

Molly Ettenborough compiled a Solid Waste Impact Fee Schedule for the Boards review.

Motion to adopt Solid Waste Impact Fee Program made by Robin Blair O.D., seconded by Patricia Lawrence R.N.

2. **Newburyport Health Director Jack Morris:** Mr. Morris submitted his resignation as the Director of Public Health for the City of Newburyport. It was accepted with a heavy heart by all in attendance. The Board congratulated Mr. Morris on his decision to be Regional Health Director for the Town(s) of Amesbury and Salisbury. Robin Blair O.D. suggested Mr. Morris provide a job description as soon as possible and submitted it to all health related web sites. Mr. Morris advised the Board that a job description would be readily available and agreed with Dr. Blair that it should be posted on health related web sites such as; MHOA (Massachusetts Health Officer Association) and MMA (Massachusetts Municipal Association). Susan Beluk MD and Patricia Lawrence RN suggested that in addition to the local health related web sites the job posting should be placed at Boston University, Boston College, and Harvard. It should be advertised for at least 20 days.

Robin Blair O.D. suggested that Mr. David Madden sit in on the Health Director interviews. Susan Beluk MD and Patricia Lawrence RN were in agreement. Mr. Madden strongly suggested that Mr. Morris should be the one to sit in on the interviews. In addition, Mr. Morris suggested that the position of Health Director be a non-union position. Currently the Health Director is listed as a Teamster Department Head.

Robin Blair O.D. expressed his concern with Mr. Morris sitting in on the Health Director interviews. Mr. Morris advised the Board that he will speak with the City's lawyers regarding the position being dropped from the union and his participation with the interviewing process. Mr. Morris will report back to the Board.

Robin Blair O.D. inquired about Maureen Lee, our food service inspector. Mr. Morris confirmed that Mrs. Lee will be staying in Newburyport.

Motion made by Patricia Lawrence RN to remove the Director of Public Health position from the Teamster Union; seconded by Susan Beluk MD.

Robin Blair O.D. reminded the Board that it is the Board that hires and fires the Health Director, not the Mayor or the City Council.

Robin Blair O.D. inquired regarding the time frame to post the interview schedule for all prospective health directors. Mr. Morris advised the Board that it should be posted at least 48 hours in advance.

3. **H1N1**: Susan Beluk MD inquired regarding the arrival of the H1N1 vaccine. Mr. Morris advised the Board that an arrival date has not as yet been provided. He will keep the Board posted.

Both Susan Beluk MD and Patricia Lawrence RN advised all in attendance the target groups for immunization, pregnant women, people who live with or care for children younger than 6 months of age, healthcare and emergency medical personnel, persons between the ages of 6 months and 24 years old, and persons ages 25 through 64 years of age who are at higher risk. Also, children younger than 9 who are being vaccinated for the first time need to receive two doses. CDC recommends that two doses be separated by 4 weeks.

Adjourn at 9:10pm