

**Newburyport Board of Health Public Meeting
June 11, 2015**

Attendees:

Chairperson of the Board: Dr. Robin Blair

Board Member: Dr. Daryl Colden

Health Director: Robert Bracey

Call to Order: Dr. Blair called the meeting to order.

Reading of the Minutes:

- Minutes from the May 21, 2015 meeting were voted on and unanimously approved

Comments from the Chairman: none

Energy & Recycle – Molly Ettenborough: Ms Ettenborough explained that the Health Department brochure had been distributed to residents this past week and continues to be well received by the public.

Ms. Ettenborough asked the Board to consider and vote on two grants this evening, the Organics Pilot grant and the School Recycling Grant.

- ❖ The Organics grant will involve a pilot program that will collect organic waste from 400 households located in the south end of the City. Each household will receive a small kitchen collection bucket and a larger outdoor locking bucket. The outdoor bucket would be collected curbside each week on the resident's trash day by a separate collection company. The organic waste would be brought to a collection site located in Hamilton and/or Amesbury (when the Amesbury collection facility becomes operational in either September or January.) The grant will cover the cost of the collection buckets and Mello will pay for the collection, transportation and disposal because the recycling market has decreased significantly and while the City previously received a \$10/ton credit for our recycling we are not currently receiving this and since it is a contractual obligation for Mello to pay this money to the City, they will instead assume the pick-up and disposal costs from the organics pilot program. Ms. Ettenborough introduced Cristin Walth who will serve as the Project Manager for the Organics program. The only cost will be for Cristin's time which will be approximately eight to ten hours per week and will handle all issues including education, publicity, troubleshooting issues, etc. Ms. Walth noted that a website for the program has already been launched. The program does not include the restaurants in the downtown area but the restaurants will be encouraged to participate in organics recycling through a private contractor that already collects organics from some of the City restaurants. The City will be taking advantage of a new program from DEP titled RDP, Recycling Dividend Program. Through RDP the City will

receive points for certain actions the City takes; for example holding hazardous waste events and enforcement, , limiting amounts of trash allowed per household, This year the City received seven points for which we received \$700,000; and would have the potential to receive \$20,000 per year from the program. The RDP points will be used to pay for Cristin's salary. The Organics program will run for two years and will provide an opportunity to determine the most effective way to implement organics recycling throughout the City with an ultimate goal of reducing trash pickup to every other week and increasing recycle collection to weekly (along with organics collection.) Ms Ettenborough asked for the Board's sign off for the Pilot Program. The Board voted and unanimously approved the implementation of the Organics Pilot Program.

- ❖ **School Recycling Grant** – This grant for FY2016 was submitted yesterday and will apply to all of the schools in the City. The City has a trash and recycling budget of 1.2 million dollars and the schools are included in this budget. Through this grant the City could pursue several options at the schools including inclusion of an organics recycling program, curriculum, increased recycling at schools, eliminating mercury from science labs, etc. A description of the grant program was sent previously to Board Members. Ms. Ettenborough explained that the Mayor, School Superintendent, Principals, and Facility Manager have already signed for this grant and she is now requesting that the Board of Health sign for approval, as well. If the City receives the grant, the program would begin in January 2016.

Director's Report – Director Bracey explained that there are no staff reports to present at this meeting. The Health Department Staff consists of Health Director, Office Manager, Public Health Nurse, Animal Control Officer, Assistant Animal Control Officer, and the following consultants: two Food Inspectors, Weights and Measure, Health Inspector (who also provides coverage during the Health Director's absence.) The staff has been cross-trained across the various aspects of public health issued covered by the Department.

Food Protection – The Department is currently in the process of renewing food permits. A new 200 seat restaurant located at the old Farley's site is under site plan review to confirm that it meets compliance with the state Sanitary Code and Federal Food Code. The plans are also reviewed by the Building Commissioner and Plumbing Inspector. Also, Dos Amigos and the Natural Grocer underwent site plan review. Nicks Pizza recently underwent renovation.

The Health Director addressed issues associated with recent fires at Agave, Oreganos and Angies. The suppression systems went off due to the heat so cleaning companies were called in to clean and sanitize the affected areas.

Administrative Hearings are scheduled for non-payment to Food Inspectors. In 2007, in lieu of raising permit fees the Board agreed to institute this policy whereby food establishments pay (within 14 days) the Inspectors directly for inspection services. The

Department and the Inspectors have been flexible with the deadline; in the five years that the Director has worked for the City, he doesn't recall having to hold any administrative hearings due to non-payment. Often times the delayed

City Festivals and dates were previously sent to the Board Members. Some of the events have already taken place.

The Director stated that he continues to work with the Director of Policy and Administration regarding expansion of the Regional Animal Control Services to include Salisbury and Amesbury. He feels that it is probably not going to happen this fiscal year, but may be implemented next year. The City is currently dealing with a significant issue involving animal waste, especially at the Bresnahan School. An Assistant Animal Control Officer has been hired for 17 hours per week to perform additional patrols on Rail Trail, Cashman Park and off-leash areas. The Animal Control Officer has been put on patrol at the Bresnahan School each day for student drop-off and pick-up times at the request of Councilor Junta. The presence of the ACO at the school has resulted in Dr. Blair suggested that when school re-opens in September have the ACO continue his presence throughout the first month. Director Bracey stated that if necessary the Board may consider initiating a ban on dogs being present at the school during drop-off and pick-up times.

The Public Health Nurse has been working on a Community Grant, MAVEN Cases, posting of educational announcements on the City Website concerning EEE and West Nile Virus, planning for the Mayor's Annual Health and Wellness Fair. This year's fair may have as a theme a children's bi-athlon that would begin City Hall and then proceed around the Mall and back to City Hall (younger children would have a shorter course.) Holding the Wellness Fair outdoors during Yankee Homecoming last year increased the attendance at the Fair.

Graf Skating Rink – An attorney contacted the Health Department with a Public Records Request stating that there were issues at the rink that would be of public interest and because of the nature of the issues he requested that the Public Records search fee be waived. The search fee was approximately \$30. The attorney was unable to provide information regarding what public issues were of concern and as Custodian of the Public Records the Director refused the waiver. The attorney contacted Attorney General, Bill Galvin's office to complain about the waiver refusal. Director Bracey was informed by Mr. Galvin that he had received similar complaints from this attorney in the past and that the Director's actions were appropriate. Of note is that all Public Records Request are handled with transparency and in accordance with procedure, including the required payment of copying and search fees. Director Bracey also informed the Board that there may be underlying issues that led to the attorney's request for documents. The Director has been informed that there is a situation at the rink whereby monies that had been raised to install new lockers at the rink has gone missing and an investigation is currently in progress. It appears that there is a group of people that would like to see the current management company replaced and it is possible that this may be the source of some of the complaints that have been received by the group regarding issues, such as air quality

at the rink, in hopes of finding a means to have the current management company discharged. The Health Director noted that the air quality has been tested periodically (including an inspection conducted with Stephen Hughes, Director of Community Sanitation who writes the Ice Rink Regulations) and for the five years that Director Bracey has been on the job, the rink has consistently been found to be in compliance with State Sanitary Regulations.

Marine Water Testing – Director Bracey reported that weekly testing of the beaches for bacteria levels has begun and has remained within normal limits.

Mosquito Testing – The City has a contract with NEMC and collection boxes located throughout the City that are tested weekly. If a sample is found to test positive for West Nile Virus or EEE (Eastern Equine Encephalitis) the Board would be informed and would then determine the appropriate response in accordance with the Vector Management Plan (which is posted on the City Website.) Typically, the Board may decide to conduct ground spraying in the area of the positive sample; the Board does not usually recommend aerial spraying. A few years ago, it was necessary for the Board to ban outdoor evening activities on public property due to a positive sampling of EEE. The Regulations require that residents Opt Out prior to March 1st of each year if they do not want their property to be included in ground spraying. Notification of the deadline is posted in the local newspapers and on the City Website each year.

Recreational Day Camps – The Health Department has received three applications for Children's Day Camps this summer and is in the process of reviewing them.

Title V – The Director reported that he has recently reviewed plans for a new system at 5 Pine Hill. There was only one problem and he contacted Claire Colden and the issue was resolved. He also a couple of requests for Deep Hole Tests. The Health Department goes out and performs a soil evaluation of the property to determine the high water mark for the property. Pursuant to the Building Regulations the property foundation must be built two feet higher than the high water mark.

Seminars – The Director has attended several seminars over the past few months. He noted that in the past he has attended a two-day seminar that would allow him to update all of his certifications at one time. In the past two years, however, the Mayor has declined his request for the two-day seminar and, therefore, he has had to take seminars sporadically throughout the year which is less convenient and a less efficient use of time.

One Kent Street – The property has been vacant for some time. A mortgage property took ownership of the property in 2007. At that time Rob Germinara, who was the prior owner who had lost the company to foreclosure or some other issue, was retained as the Manager for the property. As Manager, Mr. Germinara had renewed the tobacco permit. Something happened at the store and it was closed abruptly. Under the old Tobacco Regulations a permit holder had one year in which to renew the permit. The new owners came to the Health Department after that one year had transpired to renew the permit and was denied. Also, during that year, the Board was discussing capping the number of new tobacco permits that would be issued, however, the new regulations had not yet taken

affect and therefore, the new owners of One Kent Street were subject to the old regulations under which they had missed the deadline to renew the permit. The Director is now in conversation with Lisa Mead, the attorney who is representing the owners.

Meeting adjourned at 7:52 pm.