

Newburyport Board of Health Public Meeting March 19, 2015

Date of Approval: 5/21/2015

Attendees:

Chairperson of the Board: Dr. Robin Blair

Board Member: Patricia Lawrence

Energy & Recycle Coordinator: Molly Ettenborough

Note Taker: Patricia McAlarney

Call to Order: 7:00 PM – Dr. Blair called the meeting to order.

Reading of the Minutes:

- Approval of Minutes from the January 22, 2015 meeting was tabled to the next Board Meeting.

Review of Staff Reports:

- No comments regarding staff reports.

Update from Energy, Recycle & Sustainability Coordinator – Molly Ettenborough:

- **Ban on Plastic Bags** – The ban on plastic bags takes effect on March 29, 2015; it was voted in by City Council in October. Recycling Staff have been visiting retail stores in the City to educate them about the ban. Ms. Ettenborough provided examples of bags that would be subject to the ban based on the weight of the bag and the presence of integral handles. Ms. Ettenborough explained that there are some bags in use by City retailers that would be subject to the ban based on current requirements that she feels do not meet the intent of the ban because the bags are of a weight that would make them less aerodynamic and should be allowed as exceptions. She plans to present these recommendations to the City Council and request exemptions. Also, certain establishments (AAA) have claimed that they should not be subject to the ban because they do not fall under the current description of ‘retail establishment.’ Ms. Ettenborough intends to reword the description of retail establishment as it pertains to the ban and present the . There are also some establishments (for example, Giuseppe’s) that are both retail and food establishment. These establishments could continue to use the ‘banned bags’ for the non-retail/restaurant portion of the business but not for retail sales. Ms. Ettenborough explained that Shaws and Market Basket have begun making reusable bags available to customers (Shaws gives customers the first bag for free and charges .10 for each additional bag.) The stores continue to offer paper bags as an option and are providing boxes to customers free of charge. Ms. Ettenborough explained that the bags are reusable and recyclable, but not biodegradable.

- **Organics Pilot Program** – The City received a grant from Department of Environmental Protection to institute a pilot program that would allow for curbside pick-up of residents’ organic waste. The residents’ in the prescribed area would be given a sturdy 13-gallon bin to collect their organic waste that would be picked up by the company, Black Earth Hauler, every Tuesday. The waste would be removed from the City (likely to Hamilton or Ipswich) for proper treatment and disposal. Patricia Lawrence raised the question of whether this program might pose a problem with skunks. Ms. Ettenborough explained that the bins would only be left out at curbside just prior to pick-up. It is still being determined whether the bins should contain biodegradable bag inserts to keep the bins clean.
- **Technical Assistance Grant** – This grant will allow the City to look at the downtown area to see if restaurants could do organic waste and if it makes sense to do a Pay As You Throw Program (in the downtown area only.) This is a complicated issue and the purpose of the grant is to allow the City to study and address issues such as: how Pay As You Throw would work, and would it be fair to all downtown residents and businesses.
- **The Foundry** - Has now requested that City not pick up trash and recycling within the complex because the truck is loud and often runs over the curb. Trash and recycling will now be placed at the curb outside the complex for City pick up. There are 12 affordable units, only two units are currently rented. Heritage Landing is also placing their trash & recycling at the curb outside of the complex.
- Ms. Ettenborough informed the Board that she is compiling a history of all of the accomplishments that the City has made regarding waste reduction and cost. She will forward it to the Board when it is complete. Patricia Lawrence asked if she could obtain a copy of the Regulations related to trash pick up; she is specifically interested in the rulings regarding trash pick up at apartment buildings to review the various scenarios and rationale of which apartments qualify for City pick up and which do not. Ms. Ettenborough stated that she does not have a written document or Regulation addressing this issue but that it is covered in the City’s contract with Mello Disposal. Ms. Ettenborough agreed that this issue needs to be reviewed because the large complexes that are more than 75 percent owner occupied are permitted to have dumpsters that are emptied by Mello under the City contract, Woodman Way, Newport Condos would not be permitted for City pick up. Ms. Ettenborough explained that she provides census numbers (number of households and the population) whenever the contract is renewed. If the City were to provide service to the large complexes that are currently exempt, it would add over a million dollars to the City budget and she felt certain that the City Council would not approve of the increase. Patricia Lawrence noted that since taxes are collected for every dwelling (whether owner occupied or rented) there seems to be an inequity regarding which complexes are provided with City services. Ms. Ettenborough stated that, in her opinion, if the City were to offer pick up service to all complexes, the only way to cover the cost and be fair to all residents would be to initiate a Pay As You Throw Program in which residents

would purchase approved disposal bags for \$1 - \$2. She also noted that the amount of trash residents should be relatively small since the City already has in place recycling options for disposing of most items and, if organics recycling is initiated the amount of trash would be further reduced.

Metzys Taqueria –Dr. Blair noted that the issue to be discussed this evening does not involve use of the train station. This evening’s discussion is to determine whether the Board approves of adding the Mall as a permitted location for mobile food trucks. The Health Director has already voiced his approval. Patricia Lawrence stated that the issue of what locations are acceptable for mobile food trucks should not fall under the purview of the Board of Health; it should be the City Council that makes these determinations. Dr. Blair stated that the issue is being put before the Board because the Board was the initial approving body for the Mobil Food Truck Regulation. The Board voted to approve the request to add the Mall as a location for Mobil Food Trucks but that any future requests pertaining to location of the mobile food trucks will be at the discretion of Licensing and Permits.

Animal Control – Dr. Blair announced that Rob Steach has resigned and that Scott Purdie has been hired as the new Animal Control Officer. Scott has been working for the City as a Parking Clerk and has been working as the “On Call Animal Control Officer” every other weekend for the past several months.

Caffe DiSienna – Dr. Blair announced that the new owner of Caffe DiSienna, Bruce Vogel, has submitted a request for three variances for a food permit for Caffe DiSienna.

The first variance requested was to reduce the required frequency of grease trap inspection from monthly to quarterly. Mr. Vogel had previously been asked to provide a written report from the City Plumbing Inspector confirming the existence and condition of a grease trap at the establishment; however, to date no such document had been provided to the Board for review. The Board voted to approve the variance request for quarterly inspection of the grease trap pending receipt of a document from the City Plumbing Inspector confirming that a grease trap, in good working condition is installed at Caffe DiSienna.

Three Bay Sink – A request for variance from the required three-bay sink to accepting Caffe DiSienna’s use of a one-bay sink that is used for rinsing dirty dishes and silverware prior to their being sanitized in the dishwasher. The issue was raised that it is not clear whether this one-bay sink is the only sink in the establishment, or whether a separate sink for filling coffee pots, etc. exists. The concern raised by the Board is the potential for cross-contamination from water splashing from dirty dishes and contaminating clean coffee urns/carafe as they are being filled. The Board voted to approve the request for variance pending a more detailed evaluation of the use of the one-bay sink. (ie. Is the one-bay sink being used for anything other than dirty utensils. The Board does not approve of the sink being used for both dirty and clean dishes/utensils.)

Integrated Pest Management (IPM) – Mr. Vogel requested a reduction from monthly to quarterly (or as frequently as recommended by professional pest control management company, General Environmental Service, which has been contracted to conduct inspection and service. Mr. Vogel proposed that after two consecutive monthly inspections, the frequency of required inspection be reduced to quarterly, unless GES determines that more frequent inspection and service is needed. The Board noted that Caffe DiSienna is in close proximity to other food establishments which are adhering to the required inspection schedule and some which have had issues with rodent infestation. The Board voted and agreed that after an initial period of three consecutive monthly inspections a report from a licensed integrated pest management company shall be presented to the Board detailing the presence or absence of rodent activity at the establishment. After review of the report, the Board will reconsider the request for reducing the frequency of inspection.

Next Board of Health Meeting – Dr. Blair announced that Health Director will be on vacation the third Thursday in April and that he will be on vacation the fourth week in April, and that he proposes that, rather than cancel the monthly meeting, that Patricia Lawrence act as Chairman for a meeting on the fourth Thursday in April, assuming that Darryl Colden will be available for the meeting.

Meeting adjourned at 6:53 pm.