

Public Meeting

May 21, 2009
Grace Gouveia – Room 10
5:00 p.m.

Members Present: Jerry Anathan, Duane Gregory, Ken Janson,
John Livingstone, and Mark Phillips.

Members Absent: none

Staff: Brian Carlson(excused) Health Inspector
Jane Evans Health Agent

The meeting was called to order at 5:00 p.m.

AGENDA

Public Comments

There were none.

New Business

Jeremiah Heid

New Tattoo Artist

Brian Carlson wasn't in attendance but submitted all the necessary paper work. Jane Evans assured everyone that everything is in order.

Motion: Move to approve the new tattoo artist license for Jeremiah Heid.

Motion: John Livingstone Seconded: Ken Janson Vote: 5-0-0.

Board of Health 2010 Goals and Objectives

There were a few changes which Jane Evans made note of, i.e., the previous #7 will now become #1 under the Department-specific Objectives: – to review, revise and update Board of Health Regulations as necessary. Mark Phillips will oversee the process for the Board and make valuable inputs.

#2. remains as is.

#3. changes slightly – “Continue to support the existence of a full time Health Agent and Inspector

#4 & 4a.– stet

#5. Already being done by Brian Carlson.

#6. Plan for a future health based regulation to protect the public from hearing loss due to excessive noise. Much discussion was held because it was deemed a wasted effort to encourage a bylaw which didn't have a means of implementation since it had no enforcement mechanism.

Mark then said that we know we're understaffed and he would like to just develop an assessment of

staffing needs which should be included in #4. Mark feels an assessment is essential to determine future staffing and budget needs.

John Livingstone said that we need to know how much money we actually have. The only thing in our budget is for secretarial. We could always go to Alex if, for example, we wanted more signs. John just wants an assessment of our needs.

John would like to have as a goal a plan for the implementation of health based regulations which may not have an enforcement mechanism. Duane doesn't feel this is a goal. She thinks it should be discussed as we go along. Duane is not in favor of having regs that are not enforceable. Duane said that we can make recommendations to the town and she's o.k. dealing with this but she's against regs that we cannot enforce.

John L. felt that we should work on a mechanism for protecting the public health issues which may not currently have an enforceable mechanism. This could become the new #7 under department-specific objectives.

Jane said that she has to submit the goals proposals to Vernon on Tuesday.

Motion: Move to accept the changes to our BoH goals as discussed.

Motion: Ken Janson Seconded: Jerry Anathan Vote: 5-0-0.

Discussion

Federal Food Code Variance to Allow Dogs in Outside Dining Areas

Candace Nagle has submitted a model and she hopes the BoH will report so that her dog group can weigh in. John Giorgio, the town counsel, said that there was no liability on the part of the town if they allowed a variance permitting dogs in outdoor dining area at the request of the owner of the establishment. John Edwards, owner of the Governor Bradford, was the only business person interested. Jane told him that his request could be put on the next schedule of a BoH meeting and he could attend.

Duane doesn't have a problem allowing this and wonders why we don't wait and see how well or enthusiastically it is received.

Mark P. wondered how outdoors is specified. Candace said that a dog cannot go through a restaurant to access outdoor seating.

Duane and Jane felt there should be part of the variance which reads - "assumes full liability" - the wording will be taken from a former permit. Jane will look it up - also "all other pets are excluded" should be part of the variance. Ken said that he has real issues with allowing dogs in outdoor eating places and feels it will be a real nuisance and a health hazard.

Candace quoting something or other said "no one can bring in more than 3 dogs" - beyond that it's hard to pay attention to so many dogs. Jane said that we could limit it to 2 dogs.

This was just a discussion and not a vote. The board will review any applications on a case by case basis.

Administrative Issue

The administrative issue referred to John's meeting with Michele Couture where the main thing he discussed was the manner of enforcement if the BoH decided to pass a bylaw regarding excessive noise. The Chair doesn't want any regulation in place that doesn't have an enforcement mechanism. Perhaps just a recommendation would be all the BoH could do.

Motion: Move to have John Livingstone become a liaison to the BoS to express public health concerns for which there is no robust enforcement regarding excessive noise.

Motion: Jerry Anathan Seconded: Ken Janson Vote:.....

No one wanted to vote and the motion was withdrawn because most of the members were reticent about the motion.

John felt that we need to study the actual problems with hearing loss and he's tried to make a draft of a recommendation. He's really not presenting the motorcycle issue – specifically - as a problem. The discussion was tabled and it will be an agenda item at a future meeting.

Approval of Minutes for May 7, 2009

Motion: Move to approve the minutes as written.

Motion: Ken Janson Seconded: John Livingstone Vote: 4-0-1 ab(JA)

Any other business that shall properly come before the Board

There was none.

Health Agent's Report

Jane reported on an ongoing legal issue that was about to be resolved.

Board Members' Statements

John Livingstone thanked the Board members for all their input.

The meeting adjourned at 6:00 p.m.

Respectfully submitted,

E. Rogers Gaudiano

Approved by the Board of Health on _____, 2009

Duane Gregory, Chair