



*Board of Health
979 Somerset Avenue
Dighton M.A. 0215*

*Tel.: (508) 669-5182
Fax: (508) 669-5667*

*Wednesday August 5, 2015
6:30 P.M.
Meeting Minutes*

TOWN CLERK
DIGHTON, MA
BY _____

2015 SEP - 3 PM 3: 08

RECEIVED

Call to Order:

Chairman Patrick Menges called the meeting to order at 6:30 P.M.

Present:

Chairman Patrick Menges and member Dean Cronin

Pledge of Allegiance: The Pledge of Allegiance to the Flag was recited by all.

Approve Minutes:

Motion Dean Cronin to approve the regular meeting minutes of July 2, 2015 as prepared by the Administrative Assistant to the Board of Selectmen, Step down second, Patrick Menges.

All in Favor

Aye

Correspondence:

Chairman Patrick Menges read a letter from Joanne Boissonneault regarding the ever growing feral cat population. See attached letter.

Animal Control Officer, Stacy Ferry stated that she had a copy of the letter and that she had previously been in contact with the Animal Rescue League in Boston trying to get help. She reminded the Board that after the cats are spay and neutered the cats must be returned to where they were picked up. They are not being spay and neutered and the being adopted because that is not what the law says.

Patrick Menges read a mosquito alert from Massachusetts Health and homeland Alert Network. The alert was moderate stating that mosquito's in your area have tested positive for West Nile Virus.

Patrick Menges read a notice on emergency preparedness concerning exercises to measure the public health system preparedness. He asked the secretary to refer the correspondence to the emergency management director.

Selectman Dean Cronin read the announcements:

Chairman Menges added to the announcements that a public forum on the Dawn of Van Gyzen Hall, which is the proposed renovations to Van Gyzen Hall, will be held on Thursday August 13, 2015 at 6:00 PM at the Dighton Middle School the plans will be displayed and there will be a question and answer session followed by a public discussion at 7:00 PM. Monday August 10, 2015 at 5:00 is the last opportunity for submission of nomination papers for the Special Election.

Old Business:

Status of the Hydronic Heater Regulation: The Chairman explained that hydronic heaters were the subject of a regulation that this board passed on two (2) occasions, two (2) readings as required by law and sent to the Department of Public Health for approval so that we could begin enforcing it. It is based on a state of the art model for hydronic heaters. Somewhere between here and Boston it is lost in cyber space. We need to locate the text of the Hydronic Heater Regulation which we have passed and get the department of Public Health to approve it.

Appoint Director of Public Health:

Chairman Menges explained that last Wednesday night Selectmen Tanis resigned as a member of the Board of Selectmen. He was a trained professional in the field of public health and his chairmanship of this Board made it likely that we would not need a director of public health immediately because of his training and his experience. Selectmen Tanis was the son of an EMT and from young manhood has worked in the field of public health. He was a great blessing to this Board for a short time. We have not the 9 years experienced chairman of the Board of Health we had in Selectmen Tom Pires. We do not have what as least some of the finance Committee hoped would be a town administrator who would be trained and able to handle these things and we do not have a professional chairman of the Board of Health with public health credentials. The town of Dighton has slightly fewer than 8,000 people. We do not have a Town doctor. We are blessed to have a Town Nurse. The Board of health is the most powerful Board in Town Government.

- It can condemn a house
- It can quarantine a house
- It can condemn its contents to destruction when the disease has passed
- It can make laws such as the hydronic heater bylaw with the approval of the Department of Public Health.

No other board can do ^{it} that this Board can. There is a reason for that. State legislature from colonial time's public health and the elimination of communicable disease are essential to civilization. It is easy to be complacent. We have had a long run and we haven't had a lethal epidemic but not so long ago that was not the case. My old man was born in 1913 and many of his school mates did not survive into adulthood. If you go into the cemeteries in town you will

see some small stones grouped together with the dates of death about the same. It might have been small pox it might have been diphtheria communicable disease is nothing to be complacent about and making sure that people are protected from it are that out food establishments are properly inspected that people are vaccinated for things like flu. These things are serious matters and we cannot be complacent and the minute we are Mother Nature is going to teach us the price of complacency. This Board is responsible for tobacco control, animal control, storm water law enforcement, food inspections, title V septic system inspections, solid waste disposal, and health emergencies. We are two local politicians, we do a good job. Tonight it is our duty as the policy making laymen of this Board to state unequivocally for the Town of Dighton the imperative of having in charge of this department a public health chief with public health qualifications and experience. The school committee has 10 members. No one expects the school committee to walk into a school and teach all the children we hire teachers for that. Between all the teachers and the school committee we have a superintendent who is capable of writing a consolidated budget, seeing to it that the teachers are trained, if necessary going to court on their behalf. That superintendent reports to the school committee and that school committee as the laymen on the policy making side they take to town meeting what has to be taken to town meeting and they do the political things that need to be done. This public health department needs a trained individual who if one of our very capable experienced and professional people. Inspector Pacheco doing the Title V's he is qualified in soil testing as well as septic systems. The town nurse, registered nurse we are very fortunate to have her, Thank God if we ever get to the point where we accept vaccinations from the drug stores for our senior citizens we have a town nurse who can administer them. We have a qualified health inspector who works with establishments such as the churches to make sure they have proper dishwashing and refrigeration facilities when there is a deficiency. We have Stacy Ferry our Animal Control Officer, god bless her and responsible for elderly health affairs aware of those in town who are disabled by reason of age is Alice Souza. We have a very competent and dedicated staff. They need and deserve the support of a director of public health who if they need to go into house can go to court to get the administrative access to it who can advise them concerning training and opportunities that are available and see to it that we are complying with State regulations in that regard, who can write a consolidated budget for the health department, and can see to it that we are filing our state reports timely and above all who can assist support and give direction to the administrative assistant of this Board who in addition is the administrative assistant to the Zoning Board of Appeals. The time has come for the town to open its wallet slightly, for the \$15,000 a year for a part time director of public health to coordinate and assist in the administration of this Board and its functions deserves.

Chairman Menges then asked Selectmen Cronin, "would you concur" absolutely.

Selectmen Cronin: I know a lot of options have been discussed as to the best way to do it. We were on Board with on line with (2) two years ago when It was recommended it was put on a town warrant and the people approved a part time director and then the second year after the money was approved the money was cut a little to the point at this past annual town meeting the funding disappeared and we are back to square one again. The Board of Health has more power to an extent than a policeman and yet after 3 three years of approving the position, funding the position we are right back to the position being vacant with no funding at all. This is one of the reasons we asked you people to come tonight. It is time that you people have someone that you can come to, who will give you true accurate answers on any issue that might come up. Board of Selectmen are not qualified to run the Board of Health.

Selectmen Cronin asked for input from the audience. They inquired about the \$15,000 budgeted for the health director position and where did the money go.

Chairman Menges: The Board approved it and it was in the budget but the amount in the general budget was reduced by \$15,000 on the meeting floor and the position was not funded. We still have a standing vote that carried to create the position. The position has been created. The general laws gives this Board the power to create any position that we consider necessary to do our duty and we have a standing vote that we passed to create the position but the vote that was taken on the last budget that contained the money was reduced by that amount.

There was a discussion that until a Town meeting nothing can be approved. They also discussed separating the Board of Health from the Board of Selectmen.

Marilyn Edge, Tobacco Control Coordinator stated that she works for 13 communities and only (2) two of those communities, this Board and the town of Somerset are the only Boards that are both Board of Health and Board of Selectmen. There are many communities that the board of Health is made up of (3) three distinct occupations with varied experience. However the Board is split up it would be done at a town meeting.

Chairman Menges it would require both a town meeting and an election. The town meeting would have to send it to a ballot vote and an election would vote on creating a separate Board of Health and that unquestionably is a direction that we have to take. My sense is that the Board would come to the same conclusion that we will eventually and that is their going to want a director of public health. To want a single individual who can survive the turnover and the political policy making body and give some continuity and professionalism to the oversight of the department.

Finance Committee Clerk, Nancy Goulart 631 Gray Terrace: Explained that when the Finance Committee did its initial review of the Budget in March there was 10,000 for a director, they left it there until they reviewed again in April to make their recommendations. They knew the town Administrator was coming up for funding, the position had been created and the finance committee voted to remove the \$10,000. So there was no money appropriated in that budget for that position. She explained that the town should have (2) Boards with a medical professional on the board. Whether elected or appointed the Board should determine what it is lacking and should come to the Town with a budget in hand and say we need to hire the following. The task of being a member of the Board of Health is far more difficult than being a selectmen. We have been talking about separating the Boards since 2008 but it hasn't been followed up. There have been attempts at trying to fix it. I think with the election of Matt Tanis there was hope that we have a health professional now unfortunately that didn't work out. Let's start with a separate Board of Health and let them determine what they need.

Town Nurse Bethany Collins asked Mrs. Goulart how would the town go about separating the Board of Health.

Nancy Goulart: There would have to be a legislative action, whether you go appointed or elected. There is a process to follow. Knowing the people who are involved with the Board of Health in this Town, having worked with them, I am confident that until we can resolve the issue of Board of Selectmen/ Board of Health. I feel this town is in good hands.

Bethany Collins: So what is our next step? What do we need to do?

Nancy Goulart: The Board of selectmen as the governing Board. Look into the procedure and determine whether they want to go appointed or elected. Do we need approval of the Towns people, there is a lot of time involved.

Chairman Menges: As far as this Board is concerned, if you are asking we are aware of the proposal for a separate Board. We appoint the officials of the Town and we see the results of the elections and we are products of the election process. Any Board separate from the Board of Selectmen will be like the Board of Selectmen, a policy making Board. The direction that this Board has chosen in the short term is a matter of an article on a town meeting warrant which when passed places the question on an election ballot. It has to be voted by the people. That's the process. We are the Board of Health and our plea is for a trained director of public health and I will say the Onis for stifling that initiative does not rest with this Board. If the consequences of that other direction are less than satisfactory.

Robert Mullen: I don't think we will be able to find a director of public health for only \$15,000.

Patrick Menges: We have a couple of offers from people who are willing and have also had an offer from someone who is trained and willing to do it for nothing. But that has its own set of consequences. The town has to be in the habit of paying a professional to run the most important department in The Town Government.

Building Commissioner James Aguiar: I agree with everything that has been said tonight I think this is excellent dialogue to have.

- I Agree there needs to be a leader
- I don't think \$15,000 is going to be enough
- I think the Board of Health should be split from the Board of Selectmen
- An Appointed Board with no political involvement
- Suggest short term relief some member of this community that has a health background with management skills that we could appoint until as a director for no money until this town decides what they want to do with the Board of Health.

New Business:

Dog Bit Concerns:

Chairman Menges read a letter from Morton Hospital. Stating that the patient refused to give information, No doctor signed the form and the dog owner's information was also left blank. The Board inquired what does this form mean.

ACO Stacy Ferry commented that Morton Hospital is the worst hospital in filling out dog bites forms. See attached. The Board of Health's concern is whether or not rabies is involved.

Motion Dean Cronin to draft a memorandum to Morton Hospital to give us more information on their forms, step down second Patrick Menges.

Tobacco Regulations:

Tobacco Control Coordinator Marilyn Edge handed out the latest community fact sheet for Dighton and spoke about her work plan for Fy16. She spoke about new initiatives that have gone into effect since out last regulation went into effect (2) two years ago,

- raising the legal sales age,
- ban on flavored products,
- cigar packaging,
- e cigarettes
- sales to minors.

She told the Board that for fiscal year 17 there would be procurement money and she is working to expand the territory of this collaborative to include more towns. She will be sending out notices to these communities in the fall. She would like come back to the Board ask them to make a call to the health departments in these towns to tell them about our program because they don't know about it.

Patrick Menges: Please send the municipal lists to our secretary about the other towns in the State.

Inspectors Reports:

Food Inspector Kevin Bernardo:

Explained that all reporting to the State had been completed.

Housing

(2) Two dwellings had to be vacated and the residents had been provided services by the Veteran's Agent and the other resident was being helped by elder services.

Food Inspections

All food inspections have been done up to July 31st moving forward will be the second round of inspections.

Whitney Academy has requested a variance for a swimming pool. They had some swimming pool violations and that correspondence has been filed with the Board. They don't have a CPO. They

need to get that person certified and that will not happen until November. They are requesting to operate with the stipulation that they operate with their life guards and they have corrected their violations.

Chairman Menges asked if they plan to use the existing swimming pool at that address.

Kevin Bernardo: Yes, there are (2) two establishments and they want to use both. There are violations and I am working with them to get them corrected. There were a couple of safety issues, water clarity and one of the latches on the gate was not self-latching. The next step would be to verify if those violations have been corrected but they still need a certified individual. The only time they found training was available was in November. They were told that they could not operate until further notice.

Patrick Menges: Whitney Academy serves a challenged population so needless to say everything concerning safety has to be 100 percent. After you advise the Board that the violations have been corrected the Board can then act on the requested variance. You will have to advise the Board on the conditions.

Kevin Bernardo: The code says that to operate you need a trained professional to operate that swimming pool. So they are asking if they were to correct all violations and they say that they have corrected them and they have signed up for certified training in November they are asking the Board to vote that they could still operate without that trained individual.

Chairman Menges: The law says if they don't have a trained CPO, Certified Pool Operator then they cannot operate.

Alice Souza: Lincoln Village will no longer be needing a food permit. The director of the housing authority does not choose to get the food permits because they no longer use the kitchen. She stated that there is no cooking done on the premises.

Chairman Menges: There is no more food preparation in Prime Time?

Alice Souza; we don't do anything at Lincoln Village and everything for Prime Time comes Bristol Elder Services Program. The kitchen was used basically for staff.

Kevin Bernardo: If they change their mind and decide that they would like to start using the kitchen he stated that he would need to be notified and an inspection would need to be scheduled.

Chairman Menges stated that the Board waited for inspection reports for the schools before they signed the permits. What needs to be re-inspected or corrected with the public schools?

Kevin Bernardo: I wait until just before the schools re-open to conduct my inspections because there is nothing to inspect until just before school opens. I did conduct a site visit in July to provide guidance to the construction crew that was building a satellite kitchen. The building Commissioner and myself went in there to speak to the maintenance department. I advised as to where the hand sink should be installed and was there in that capacity.

Chairman Menges: Before any licenses, food, milk, cream oleo margarine that we check with you that all inspections have been completed.

Joseph Pacheco: I would like to meet with the Board of Health administration not in a public meeting but another time?

Chairman Menges: We will set up a meeting. Please come to the office and we will set up a day and time, thank you.

Public Input:

None

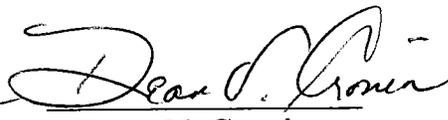
Adjournment:

Motion Selectmen Cronin step down second Patrick Menges to adjourn the meeting at 7:45 PM

All in Favor

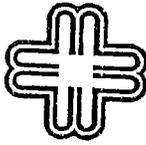
Aye


Patrick Menges
Chairman


Dean V. Cronin
Member

Respectfully Submitted
Rosalind Grassie/ Administrative Assistant

Board of Health Agenda, 5 August 2015
What is this?



MORTON HOSPITAL & MEDICAL CENTER, INC.

88 WASHINGTON STREET -- TAUNTON, MASSACHUSETTS 02790-2499 -- TEL. (508) 824-6911

OUT OF TOWN BOARD OF HEALTH

TO: BOARD OF HEALTH: Dighton Mass

DATE: 7/18/15

PATIENT'S NAME: Lisa Antrim

ADDRESS: 125 WARDSWORTH ST. BOSTON, MA 02128

AGE: 47

DOG OWNER'S NAME: * PATIENT REFUSED TO GIVE

ADDRESS: INFORMATION *

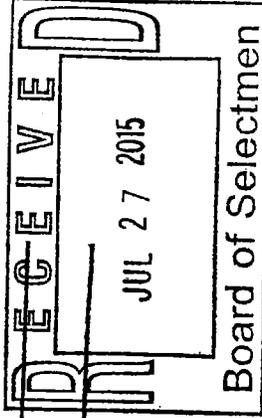
DOCTOR: DUC Chairman

Form # 9.67 141

COPY CENTER

MAINT Member

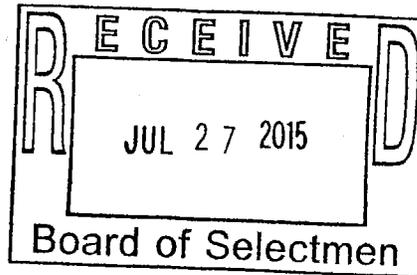
P. P. M. Clerk



Town of Dighton
979 Somerset Avenue
Dighton, MA 02175

July 22, 2015

Re: Feral Cats



Dear Sir and Madame,

I am writing to you in regard to a most recent Selectman / Board of Health meeting which I attended on July 8, 2015. During this meeting the every growing feral cat population was discussed at length. Coming away from this meeting I was concerned about the welfare of these animals as well as the neighboring homes. In hopes of trying to find a resolution to the situation I inquired with other towns in which I was advised there is help available outside of local animal control and concerned volunteers.

Upon inquiry I was advised that the Animal Rescue League of Boston services the entire state of Massachusetts. I was advised to speak with a gentleman by the name of Alan Borgal. His telephone number is 617-426-9170. I was also informed there is a woman by the name of Jan Parisi that works specifically with a feral cat program and has a supporting network to address this issue effectively. She can be contacted at the Quincy Animal Shelter whose telephone number is 617-376-1349.

Again I am writing this letter in hopes that the town of Dighton will contact these outside resources for assistance. I am hopeful that these resources can work with the officials in Dighton and help alleviate the ongoing issues on Spring Street as well as the other feral cat communities that exist in Dighton.

Thank you for time.

Sincerely,

Joanne Boissonneault

Cc: Town of Dighton Selectman
Stacy Ferry / Animal Control Officer
Town of Dighton Board of Health

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