

Acton Board of Health

January 10, 2011

Members Present: Mark Conoby, Chairman, Bill McInnis, Vice Chairman, Joanne Bissetta, Member, Dr. William Taylor, Member and Michael Kreuze, Member.

Staff Present: Sheryl Ball, Health Agent and Isabel Roberts.

Others Present: Peggy Mikkola, Mr. and Mrs. Ray, and Ms. Tina Maynard

On a motion made by Ms. Bissetta, seconded by Dr. Taylor, the Board unanimously voted to approve the Board of Health minutes dated November 15, 2010 and October 18, 2010, as amended.

The meeting was called to order at 7:35pm

Hearing – 4 Rex Lane – Ms. Tina Maynard

Ms. Roberts presented the Board with a request for a hearing under 105 CMR 410.850 (A) from Ms. Maynard, who currently resides at 4 Rex Lane.

On December 2, 2010, Ms. Roberts conducted a housing re-inspection at 4 Rex Lane. At that time, a violation of 410.750 (I) Conditions Deemed to Endanger or Impair Health or Safety was observed. A correction order was sent to Ms. Maynard on December 3, 2010 informing her of the violation and the time frame in which the correction must be completed.

The Health Department received a request for Hearing based on a number of issues. Firstly, Ms. Maynard had, prior to the housing re-inspection had a mold inspection conducted at 4 Rex Lane. She stated that the report ordered her not to enter the basement since the air quality was at a dangerous level and it was recommended that a professional company be hired to minimize the risks associated with this “type” of mold. At the time of the hearing Ms. Maynard had not yet provided the Health Department with a copy of the mold inspection report.

Secondly, Ms. Maynard stated all of the items in the basement were of a personal nature and not trash, garbage or filth.

The Board requested that Ms. Maynard submit a copy of the inspection report to the Health Department within seven days.

Ms. Roberts recommended to the Board that the order be upheld, based on the fact that there currently are no state or federally recognized guidelines or regulations regarding acceptable and non-acceptable levels of mold.

On a motion made by Ms. Bissetta, seconded by Mr. McInnis, the Board unanimously voted to grant authority to the Health Department to determine the proper course of action to be taken to resolve this issue once a copy of the report has been submitted and reviewed by the Health Department.

Hanna Ray – Coffee Shop – 340 Great Road

Health Department Inspector, Ms. Sheryl Ball presented the Board with a request from Acton Coffee House to amend the Board of Health approval previously granted at their meeting on June 21, 2010. The Board granted an increase from 12 to 18 seats based on reclassification from a restaurant to fast food establishment, with the following conditions:

1. The establishment water use records shall be submitted to the Health Department quarterly, starting September 1, 2010.
2. Paper or plastic tableware and eating utensils shall be used.
3. The Board of Health shall suspend or revoke approval should use result in a threat or hazard to the public or environmental health.

Ms. Hanna Ray asked that the Board amend the requirement of utilizing plastic/paper utensils and has proposed that she be allowed to install low flush toilets in order to reduce the flow by 3 gallons per flush. Additionally, Ms. Ray provided the manufacturer's specifications for the on site dishwasher showing the total flow as being 2.6 gallons per use. An increase in the amount of ceramic mugs available at the coffee shop would also be made, thus, minimizing the need to run the dishwasher and reducing flow.

The Health Department finds that the proposed water reduction plan will be equal to the increase of flow needed to utilize ceramic mugs versus paper/plastic, additionally the reduction in water flow will not compromise food safety.

The Health Department recommends the granting of this request.

Mr. Kreuze suggested that the need to purchase additional ceramic mugs not to be listed as a condition. The Board agreed.

On a motion made by Mr. Kreuze, seconded by Ms. Bissetta, the Board unanimously voted to approve the request to amend the Board's decision of June 21st, 2010 with the additional conditions:

1. The applicant, Hanna Ray shall submit a Water Management Plan to the Health Department.
2. The Board shall delegate authority to the Health Department to make any additional recommendations to reduce the water use as deemed necessary.

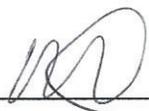
Water District Discussion

The Board discussed the information exchange with the Acton Water District. Unfortunately, a date has not yet been set with Mr. Chris Allan, Acton Water District District Manager or Mr. Matt Mostoller, Environmental Manager.

Adjournment

On a motion made by Ms. Bissetta, seconded by Mr. McInnis, the Board unanimously voted to adjourn at 8:40PM.

Respectfully Submitted,



Isabel Roberts, Health Secretary
Acton Board of Health



Mark Conoby, Chairman
Acton Board of Health