

BRAINTREE BOARD OF HEALTH

MINUTES

September 24, 2015

IN ATTENDANCE: Dr. Arthur Bregoli, Chairman
Dr. Philip Nedelman, Vice-Chairman

ALSO PRESENT: Marybeth McGrath, Director of ML & I

Dr. Bregoli called the meeting to order at 2:00 pm.

MINUTES:

Motion By: Dr. Nedelman approve the meeting minutes of July 23, 2015.
Second By: Dr. Bregoli

OLD BUSINESS:

1) Review of proposed draft (#2) Body Work Regulation-Legal Review

Ms. McGrath advised the Board that the draft regulation was forwarded to the Town Solicitor for review as to legal form. The Solicitor completed his review with recommended changes of some language additions and deletions in the proposed regulation, which are before the Board this evening for review and approval.

The Board reviewed and approved the changes made by the Town Solicitor. They asked Ms. McGrath to incorporate these changes in the final draft of the proposed regulation, and schedule a public hearing on the regulation during the October 8, 2015 Board of Health meeting.

Motion By: Dr. Nedelman to approve the final draft of the regulation and schedule the public hearing on October 8, 2015.
Second By: Dr. Bregoli

2) Review of proposed amended School Tobacco and Nicotine Delivery Products Usage regulation-Legal Review.

Ms. McGrath advised the Board that the draft regulation was forwarded to the Town Solicitor for review as to legal form. The Solicitor completed his review, and had no recommended changes to the proposed regulation.

Motion By: Dr. Nedelman to approve the final draft of the regulation and schedule the public hearing on October 8, 2015.

Second By: Dr. Bregoli

NEW BUSINESS:

3) Request for Hearing-Housing Code Violations: 93 Magnolia Street

Present: Attorney William Kennedy, representing the property owner
Judy Gutry, property owner
Robin Magner, Environmental Health Specialist

Ms. McGrath advised the Board that the department was called out to a complaint at 93 Magnolia Street on August 13, 2015. An inspection was conducted and discovered there were violations of the housing code as follows: lack of smoke detectors and carbon monoxide alarms, some structural elements of wall and ceiling repairs in some of the rooms, floor surface repairs, repair to the back door, broken glass window in garage door, exposed electrical wiring, no kitchen sink and some railing issues within the house.

The order to correct was sent to the property owner, Ms. Gutry. Shortly thereafter, a request for hearing was received from Attorney Kennedy on behalf of his client, Ms. Gutry.

Ms. McGrath advised that she has since been back to do a follow up inspection on August 21, 2015 for the smoke detector/carbon monoxide alarms, and verified that they were installed on the first and second floor, but not in the basement. Since that time, Ms. McGrath understands that the detector/alarm has been installed in the basement, but the tenant has moved out so there has been no access to the dwelling.

Attorney Kennedy advised that Ms. Gutry has owned this home for many years, and unfortunately due to the severe winter events, there was some damage in the home that needed to be repaired. Attorney Kennedy advised that as per the licensed contractor doing the repairs to correct the violations and basically overhaul the whole house, he could not do the repairs until the home was vacated because the tenants had small children. Attorney Kennedy provided a statement from the contractor on the same.

Attorney Kennedy advised that Ms. Gutry and the tenants have worked out the situation, and the tenants have moved out. No one is living in the home at this time. The work has started and is currently ongoing. The contractor hopes to complete the work by October 1, 2015, including correcting all of the violations noted on the order to correct.

Ms. McGrath advised that as there has been a request for a hearing, the response by the Board is to uphold the order, modify the order or rescind the order.

Ms. McGrath advised that as the department has only verified that a portion of one of the violations has been corrected, she requests that the Board uphold the order, and the dwelling not be reoccupied until an inspection is conducted to verify that the violations have been corrected.

Ms. Gutry advised that Building permits have all been obtained for the construction work, and she will call the department once the work is finished so that an inspection can be scheduled to verify correction of the violations.

Motion By: Dr. Nedelman to uphold the order to correction violations issued.
Second By: Dr. Bregoli

4) Request for Keeping of Chickens-4 Tenney Road

Ms. McGrath advised that the property owners could not attend the meeting due to the time of day, but that Ms. McGrath will present this matter on their behalf.

Ms. McGrath advised that a site inspection has been conducted by the department. The location of the coop is 20' from one of the property lines and 13' from the other side. As the Board is aware, there are no setback requirements for the coop/animals.

Ms. Carey, the department inspector that inspected the property foresees no problem with the issuance of the permit. All of the abutters have been notified in writing of the intent to keep the chickens at 4 Tenney Road, and no objection has been received by the department.

Dr. Bregoli verified that this applicant only wants 4-6 chickens. Ms. McGrath confirmed this number.

Motion By: Dr. Nedelman to approve the issuance of the permit to keep up to 6 chickens on the property located at 4 Tenney Road.
Second By: Dr. Bregoli

Motion By: Dr. Nedelman to recess the meeting at 2:21pm to await the arrival of representatives from the Police and Fire Departments regarding agenda item # 3.
Second By: Dr. Bregoli

The meeting reconvened at 2:22pm

5) Narcan Administration Demonstration-Officer Kevin Macaleese/Braintree Fire Department

Present: Officer Kevin Macaleese-Braintree Fire Department
Officer Steve Wallace-Braintree Police Department
Mary Mulready, Public Health Nurse
Robin Magner

Ms. McGrath advised the Board that Dr. Nedelman is the Town Physician and the School Physician. She further advised that the Police and Fire Departments presently have the ability and approval to administer nasal and injectable narcan; and the Braintree Public School nurses just received approval through the School Committee to be able to utilize/administer narcan, if it was medically necessary in the schools.

Dr. Nedelman and Ms. McGrath both felt that it was important that the Board members be aware of these approvals, and also know how the medication is utilized and administered on emergency medical responses by the Fire, Police and School Nursing Departments.

Officer Kevin Macaleese with the Braintree Fire Department and Officer Steve Wallace with the Braintree Police Department offered a detailed demonstration of the narcan medication preparation and assembly procedures to the Board members.

Motion By: Dr. Nedelman to adjourn the meeting at 3:05 pm.
Second By: Dr. Bregoli