

Town of Concord
Board of Health

Minutes from the Meeting
Tuesday, June 15, 2010

PRESENT: Ann M. Snow, Chairman
David Burgess
Kerry Diskin
Dr. Alan C. Woodward
Jack Bergman*

Brent L. Reagor, Public Health Director
Karen M. Byrne, Administrative Assistant

OTHERS: Judith Quanrud, 36 Rollingwood Lane (FinCom); Pete Lowy
and Jennifer Hashley, Pete & Jen's Backyard Birds

1. BOARD APPOINTMENTS

Ann Snow, Chairman welcomed the Board of Health's newest members, Kerry Diskin and Dr. Alan Woodward to their first official meeting. She also thanked Deborah Farnsworth for her service for the past six years and wished her well.

Ms. Snow informed the Board that it had to nominate a new liaison to the 2229 Main Street Oversight Committee (which was held by Ms. Farnsworth). She noted that this is the committee that monitors the cleanup at Starmet, formerly known as Nuclear Metals, Inc. (NMI). Kerry Diskin noted that she had served as a member on the committee in the past and would be willing to fill this role. Dr. Woodward made a motion to nominate Kerry Diskin. Ann Snow seconded. All VOTED in favor.

Karen Byrne will forward the Board's recommendation to the Selectmen's Office.

2. MINUTES AND BOARD CALENDAR

The Board reviewed the minutes from the April and May meetings respectively. Ann Snow moved that the minutes be approved as submitted. David Burgess seconded it. All VOTED in favor.

The next regular Board meeting is scheduled for Tuesday, July 20, 2010.

* Mr. Bergman was not officially sworn in, therefore was not a voting member for this meeting

3. BOARD REPORTS

Dr. Woodward provided the Board with copies of 2 articles for informational purposes at this point, but that he suggested members take under advisement for discussion in the fall as possible public health initiatives to better educate the public.¹

- Banning the Sale of Tobacco Products in Pharmacies

Dr. Woodward explained that (5) Massachusetts communities have moved forward with regulations banning the sale of tobacco products in pharmacies and establishments that include pharmacies. From a public health standpoint, Dr. Woodward felt that this made sense because pharmacies are where patients go to “receive the medicine” to make them well; but, that tobacco products, “when used properly” have the potential to make them ill and sends the opposite message for promoting good health. Ideally, he noted that this would be dealt with on a State level and that there had been some movement in the legislature to get this done, but there were inevitable delays for a variety of reasons.

- Distracted Driving

Dr. Woodward also provided an article from the “New England Journal of Medicine” relating to the practice of primary care physician’s counseling and speaking to their patients about the dangers of texting and talking on hand-held cell phones while driving an automobile. The article references studies where the data is clear that people who are texting while operating a motor vehicle prove to be as dangerous as a drunk or drug impaired driver. He urged the Board to watch a public service announcement (www.youtube.com/watch?v=ROLCmStlw9E) that depicts a potential scenario of what could occur, he said it was horrifying.

From a public health education standpoint, he hoped the Board would consider this issue as well, particularly if it is not dealt with on a State level.

Board members thanked Dr. Woodward for the information and concurred that these issues certainly should be looked at further as it related to the impact on public health and safety.

¹ Article from *The New England Journal of Medicine – Distracted Driving*; Article from *Boston Globe*, “City bans tobacco sales in pharmacies”

4. REPORTS FROM STAFF

The Public Health Director provided the Board with the most recent Food Inspection Report submitted by Samuel Wong, Food Safety Consultant for Chang An. Mr. Wong conducted an unannounced inspection on Tuesday, June 8, 2010 at 5:30 p.m. and found 2 violations. However, he made the following positive observations that indicated that the consistent reinforcement by the head chef, himself, and the owners are truly affecting the overall behavior of the kitchen staff:

- No temperature violations observed
- No cross contamination issues observed (which was a chronic problem in the past)
- The PIC had been doing daily self inspections and temperature monitoring
- The overall cleanliness of the kitchen facility was noticeable
- Sanitizer was in use

Mr. Reagor noted that he had dined at the restaurant recently and made a visit to the kitchen as well and that simply based on past inspection reports could visually see an improvement. He said that both he and Ms. White, Public Health Inspector were very pleased with the progress being made and were cautiously optimistic that it would continue.

Emergency Preparedness

The Public Health Director advised the Board on the most recent purchases made to continue to fully equip the Town of Concord as it relates to emergency preparedness. Following a brief discussion, the consensus of the Board was that it would like both the Public Health Director and Fire Chief to provide it with a complete overview of the status of the Emergency Preparedness Program, a listing of the equipment on hand, where it is stored, etc. Mr. Reagor will notify Chief Coutreau and it will schedule the discussion for the July 20 meeting.

5. SEPTIC BETTERMENT LOAN PROGRAM

Karen Byrne provided a brief overview of the Water Pollution Abatement Trust Program (WPAT), also known as the Septic Betterment Loan Program to the newest Board members. In April 2009, she explained that Town Meeting authorized the borrowing of two million dollars for the purpose of being loaned out to assist homeowners to replace their failing septic systems. Septic Betterment Loans of up to \$30,000 are currently available to Concord residents at a 2% interest rate to be paid back over 10 years. This is the second round of loans being offered. In 2005, through the same process at Town Meeting, the Town borrowed one million dollars, all of which has been loaned out to Concord residents. (Those loans varied in amounts ranging from \$11,000 - \$20,000).

Preliminary Approval for Betterment Liens

Karen Byrne processed a loan application for the following property this past month. Stanley Sosnicki, Environmental Health Inspector reviewed the Title 5 inspection reports for each property and confirmed that the system was in failure:

- 144 Arena Terrace – Kimura (\$30,000)

David Burgess moved that the Board VOTE to find the onsite sewage disposal systems on the above noted property to be a public health nuisance per MGL, CH 111, s., 127 B and 127B ½ and to authorize the initial betterment lien assessment not to exceed \$30,000 to be filed at the Registry of Deeds. Ann Snow seconded it. All VOTED in favor.

Final Betterment Lien Assessments

The onsite sewage disposal systems for the following properties have been completed and all invoices processed by the Health Division:

- 120 The Valley Road – Harris (\$27,800)

David Burgess moved that the Board issue the Order to Assess the Betterment for the above listed properties. Such order shall be forwarded to the Town Collector. Ann Snow seconded it. All VOTED to approve.

6. PETE & JEN'S BACKYARD BIRDS

Pete Lowy and Jennifer Hashley, co-owners of Pete & Jen's Backyard Birds, met with the Board to review the operation of the Mobile Poultry Processing Unit (MPPU) used at their facility operated at Verrill Farm. One of the requirements for permitting by the Department of Public Health Food Protection Program is that the owner of the business where the mobile unit will be located receives written approval from the local Board of Health in accordance with MGL, Ch. 111, Section 115.

Ms. Hashley explained that this program was originally developed as a pilot project by the Department of Public Health and the New England Small Farm Institute for a mobile poultry processing unit that would serve organic poultry farmers around the state who had limited access to slaughtering services. The program has become so successful, that it continues to expand throughout the state with other interested farms.

She outlined the procedures that were part of their original slaughter license in 2008, as well as the informational packet that was provided to the Board. She noted that one change in their production practice was the purchase of a larger refrigerator/freezer trailer (8x10) that will be placed within close proximity to the MPPU during the processing operation to allow for "...faster cool down of the birds and to provide for better separation of cooling facilities on the farm." Mr. Lowy said that they

would no longer use the cooler at Verrill Farm because it is also used for vegetables and they wanted to take additional precautions to avoid any cross contamination.

They also noted that this year, the State had approved a second type of Mobile Poultry Processing Unit that was totally enclosed and would be beneficial for the farms that have their slaughter dates later in the season. Ms. Hashley said that it might be utilized at Verrill, but she was not sure at this time.

The 2010 annual poultry processing schedule is as follows:

- June 26 – 350 birds; July 24 – 350 birds
- August 28 – 350 birds
- October 2 – 350 birds
- October 30 – 150 capons

The Board of Health commended Ms. Hashley and Mr. Lowy on their initiative and congratulated them on their success. Board members said that clearly there was a demand for this type of service and that it would appear that Concord was an excellent location for the unit. Mr. Lowy concurred and noted that they had sold out within hours of posting their information on their website in the winter months.

Following additional discussion, Dr. Woodward moved to approve the operation of the Mobile Poultry Processing Unit with the following conditions:

1. An approved unit², to be provided by the New England Small Farm Institute/Tufts University, is to be set up at a site to be approved by the Concord Health Division.
2. Concord Health Division staff will inspect the unit once it is set up on site and prior to commencement of any operations.
3. The unit shall only process chickens raised and owned by Pete & Jen's Backyard Birds, 159 Wheeler Road, Concord.
4. The sale of any chickens processed shall be in full compliance with all applicable local, state, and federal regulations.
5. This approval shall be considered null and void if at any time, the Massachusetts Department of Public Health revokes or does not issue a meat/poultry processing license to Pete & Jen's Backyard Birds.

David Burgess seconded it. All VOTED in favor to approve.

The meeting adjourned at approximately 8:20 p.m.

² Units to include the newly MDPH approved "self-enclosed" mobile poultry processing unit, as well as the previously approved unit used by Pete & Jen's.

Board of Health Signature Page
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Respectfully submitted by,

Karen M. O'Keefe-Byrne, Administrative Assistant
Concord Board of Health

Ann M. Snow, Chairman

David J. Burgess

Jack Bergman

Dr. Alan C. Woodward, MD

Kerry Diskin