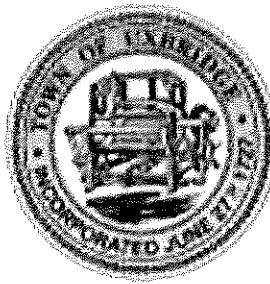


*Dr. David Tapscott, Chairman
Dr. Joann Lindenmayer, Vice Chair
Dr. Cay DenHerder, Member
Erin Hightower, Health Director
Kaitlin Donahue, Health Inspector
Missy Kakela-Boisvert, Administrative Assistant*



**TOWN OF UXBRIDGE
BOARD OF HEALTH**
21 South Main Street, Room 204
Uxbridge, MA 01569
508-278-8600 ext. 8
boh@uxbridge-ma.gov

**Minutes of the Uxbridge Board of Health hybrid
meeting held on
November 16, 2022 at 6:00 PM**

Present: Dr. David Tapscott, Chairman; Dr. Joann Lindenmayer, Vice Chair and Dr. Cay DenHerder, Member

Also present: Erin Hightower, Health Director; Kaitlin Donahue, Health Inspector; Missy Kakela-Boisvert, Administrative Assistant; Moe Guilbault, Animal Inspector; Ken and Heidi Lepage, Edward and Leah Caracino and Rick Dowden.

Join Zoom Meeting

<https://uxbridge.zoom.us/j/86827769442>

Meeting ID: 868 2776 9442

7807 LDC TOWN CLERK
2022 NOV 27 AM 7:50

Meeting called to order:

The time being 6:00 PM and a quorum present, Chairman Dr. David Tapscott called the meeting to order.

Citizen's request. Keeping of animal permit concern – 508 Hartford Avenue East

The Board of Health received a letter of concern from Edward and Leah Caracino of 500 Hartford Avenue East regarding their neighbors at 508 Hartford Avenue East applying for a keeping of animals permit. Ken and Heidi Lepage have 5 Icelandic sheep and applied for a permit. Some of the concerns were odor, guard dogs with the sheep which would be barking loud at night, cleanliness and maintenance of the area, loss of property value and number of animals in relation to square footage and frequency of town inspections. Animal Inspector Moe Guilbault did an inspection recently. The only issue he had was the fence overlapped the wellhead. He asked them to move the fence back and the owner told him they would move it. He said there was enough space for the sheep because they are being fed not grazing. If the sheep were grazing, he would want more space. The owners will be building a hoop house which is common with keeping sheep. As far as manure management, they have a composting system.

Heidi Lepage explained to the board that she does not want any more sheep and one she currently have are her pets. With regards to the dogs, they would come in at night. The owners of where these dogs were once kept, might be interested in one or both dogs.

Edward Caracino told the board that when he bought his property there was no livestock on the abutting property. He is concerned about more sheep or animals being brought to the property and the smells that it could create. He was under the impression that area of town did not allow for livestock. Moe explain the Town of Uxbridge Zoning By-Laws do allow that use.

The board let Mr. Caracino know that if there is an issue, he could contact the office and it could be looked at as a nuisance. The permit stands as is.

Food Establishment Violation review and discussion

1. The Green Room

Kaitlin wants to update the Board concerning the Green Room. The Green Room is still not using the kitchen area because the automatic fire suppression system is not working. But she would like a better idea of what the plan is with the kitchen. Back in May there were things in the kitchen that made it look like the kitchen was being used and Kaitlin asked the owner Rick Dowden to come in and address the issues.

Kaitlin inspected The Green Room in May and at that point in time Rick had come to a meeting. The issue was whether or not the kitchen was being used or not used. When she went to inspect the beginning of this month there was no food that she saw. But it did appear that some cooking was going on. She observed pizza pans in the sink, crockpots, bowls and spoons and cigarette butts again. If no cooking is going on why are there crockpots, bowls and spoons? Dr. Tapscott asked if this was a permitted establishment and Kaitlin said yes. Dr. Lindenmayer asked why they are not serving. Kaitlin said the automatic fire suppression system is useable. The hood and fire suppression is not working. Dr. DenHerder asked if there's a plan to repair it. Kaitlin said Mr. Dowden should speak more about it.

Mr. Dowden is concerned that the inspector is determined find him cooking in the establishment. Dr. Tapscott said the inspector (Kaitlin) reports what is observed. There is a food permit but the hood and fire suppression is not working properly so the kitchen can't be used. Mr. Dowden said he spoke to the fire department last year and they told him they had no problem with that. He's shutting the kitchen down. He said he can't find a cook. The last time Kaitlin was there the kitchen was closed. Although he had a license to sell food with no restrictions. The fryolators were drained and cleaned. The flattop was cleaned and spotless. Dr. Tapscott explained that the Board want to make sure establishment is operating safely.

Mr. Dowden explained that they have pool leagues and members of the league and at the end of each session they will have a big banquet and bring in their own cooked food. So, one of the league members brought in a crockpot of meatballs. The person left in charge told Kaitlin the same thing. One of the patron's brought in food and served it, which is not allowed. Mr. Dowden doesn't believe it's a violation and Kaitlin said it is. Erin said the food has to come from an approved source. Mr. Dowden explained that this is an organization, which rents that space. He was asked if the league has a catering permit and he said they did not because it's a pool league. Dr. Tapscott explained that if you are serving food to the public or people who come to the Greenroom, it's a Board of Health issue.

Mr. Dowden told the Board he is going to keep the kitchen closed until he can do it right. They did order a new ice machine because they did have problems in the past and it should be coming in a few weeks. He's not in a hurry to get the kitchen done. He also said if there are violations, write it down and he will take care of it. When Kaitlin does an inspection, she leaves the report with the establishment and it lists any violations. The other issue Kaitlin addressed was the cigarette butts in the kitchen prep area. Mr. Dowden explained he is not there all the time and never goes in the kitchen when he does go to the establishment. Some customers feel that because they have been going there for so long they can do whatever they want. Dr. Tapscott understands the dilemma but as the owner of the establishment, it is the owner's responsible responsibility for the behavior of the customers and clients. Erin added that all staff should be trained to prohibit smoking in the kitchen. Mr. Dowden was

reminded that no outside food is allowed unless it is a permitted by the Board of Health.

2. Gia

Kaitlin asked the owner Bobbie to come tonight but does not see him here tonight. Bobbie is aware of the issues. The building was sold in October. It will continue to operate as a restaurant. There will be a need for a Title V inspection report to be submitted. Kaitlin explained there are building issues along with some cleanliness issues. During the reinspection there were repeat violations and some issues have been taken care of, for example the automatic fire suppression system needs to be upgrade and inspected. Only-one person for the establishment had the food manager certification, which was out of date by 4 months. He did provide a receipt for the class for the lead server. Also, there appears to be condensation in the wall in the freezer.

Tobacco Permits –Uxbridge Gas Market, LLC, 486 Douglas Street

Erin explained to the Board that this address is not a business, it's currently a residential home. The building for the business has not been constructed. The company applied for State permits with the Department of Revenue for tobacco, cigars and electronic cigarettes and were granted permits. They applied for a tobacco permit with us and a permit was issued thinking they would be in business soon. The Zoning Board approved the application for the business but the approval is being appealed by the abutter. This process has been going on for two years. An abutter of 486 Douglas Street by the name of Pat spoke to the Board. Pat stated the gas station will be built on 502 Douglas Street and part on 486 Douglas Street. It is in court and as of now there is no trial date. 502 is owned by somebody else because of the litigation.

Currently only 14 tobacco permits can be issued and they are number 14. The office has received inquiries from prospective entities that want to open convenient stores but would need a tobacco permit. The question is whether to hold a permit for an establishment if it hasn't been built since there is a limit of permits to be issued according to the Uxbridge Board of Health Tobacco Regulations. The Board will seek an opinion from Town counsel first.

Erin told the board that complaint was received that Marchand is still operating his trash hauler business without a permit from the Board of Health. She believed town counsel was sending out a letter today, in addition to a cease and desist already sent.

Erin gave an update on Cresco, there was a meeting today with various town departments, Town Counsel Liz Lyndon, Cresco's legal representation and other members of Cresco's team. The last letter sent by town counsel told Cresco that they would have to stop flowering. They came back and said that would be a hardship for them. Essentially, they would have to shut down their operation and lay-off 85 employees. There will be another meeting.

Next steps are as follows

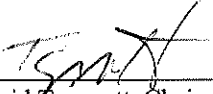
- by tomorrow their new consultant will meet with the Town's consultant
- a 24hour 7 days a week compliant call line run by a third party
- submit HVAC plan, site plan, mechanical, electrical, plumbing plan
- verification that the new consultant has been engaged because the town had no knowledge that Cresco had hired a new consultant.

The building was not designed to allow extraction to be done at that location. Now they don't want to bring the building up to industry standard that allows for extraction because its too costly.

Covid updates - nothing new, test kits are still available. There were 65 cases in October. 60 were 18 and older 5 were 17 and under. The Board of Health office has plenty of test kits for anyone who wants one.

Discussion on changes to Article 14: Minimum Sanitation Standards for Private and Semi-Public Wells – Dr. Tapscott made edits to the current regulation and asked for everyone to review and give input regarding any changes.

Motion to adjourn: *Dr. Cay DenHerder moved to adjourn the meeting at 8:13pm. Dr. Joann Lindenmayer seconded and the motion was passed unanimously with a vote of 3-0-0. Dr. David Tapscott – aye, Dr. Joann Lindenmayer – aye Dr. Cay DenHerder - aye*



David Tapscott, Chairman

Joann Lindenmayer, Vice Chairman



Cay DenHerder, Member