

approved 4.28.2020



TOWNSEND BOARD OF HEALTH

272 Main Street
Townsend, Massachusetts 01469

Linda Johansen, Clerk
Office (978) 597-1713

Christopher Genoter, Chairman

Christopher Nocella, Vice-Chairman
Fax (978) 597-8135

Board of Health Meeting Minutes Monday, March 2, 2020 Meeting Room 2 at 6:00 PM

1. PRELIMINARIES:

- 1.1 Roll Call: Chris Genoter, (CG), Chris Nocella (CN), Carla Hitzenbuhler (CH) and Linda Johansen (LJ). CG opened the meeting at 6:08 PM.
- 1.2 CN motions to post the COVID-19 Informational letter on the Townsend web site. CG 2nd. Approved Unanimously.

2. APPOINTMENTS / HEARINGS:

- 2.1. Review of General Revolving Fund Bylaw and new receipt books for Recycling Center:
The history of the regulations for recycling and the general revolving fund were discussed. The Accountant suggested the Town Administrator (TA) add the word Solid Waste to the warrant article under Authorized Revolving Funds at the Annual Town Meeting. LJ requested the TA confirm the revenue made from the overflow bags can be spent and put into this fund. CN motions to have the TA respond to the question relating to the overflow bags. CG 2nd. Approved Unanimously. The Board requested the price increases proposed be emailed to members of the Board. CN motions to schedule the updating of the Recycling Center fee schedule to 3/23/2020. CG 2nd. Approved Unanimously.
- 2.2. Educations and Enforcement Coordinator Grant:
CG motions to not apply for the EEC grant as the current contract with the Haulers has them managing contamination and gallon limitations. LJ 2nd. Approved Unanimously.
- 2.3. Invoices were approved as submitted.
- 2.4. LJ motions to approved 1/13/2020 minutes as written. CN 2nd. Approved unanimously. LJ motions to approve 2/10/2020 minutes with minor edit to add 2.6 EEC. CN 2nd. Approved unanimously.
- 2.5. Sexual Harassment Policy and Performance Evaluation Update:
The Board was given the Sexual Harassment Policy. CH to forward to the Executive Assistant to the Select Board. Health Administrator performance evaluation worksheets were also distributed.
- 2.6. Annual Town Report Submittal:
The BOH annual report was reviewed. The Board asked for more information on the accomplishments from the Board and to forward the final version to the Board when submitting to the TA.



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2.7. 2020 Earth Day Update:

CG motions to allow the Recycling Committee spend \$1,000 for earth day promotions and the town wide clean-up. CN 2nd. Approved unanimously. They also authorized CH to have the town join Simple Recycling and their Textile Recycling Curbside Program.

2.8 LJ motions to adjourn the meeting at 7:33pm. CG 2nd. Approved unanimously.



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Monday, March 9th, 2020
Meeting Room 2 at 6:00 p.m.

1. PRELIMINARIES:

1.1 Roll Call

2. APPOINTMENT / HEARINGS

- 2.1 Public Hearing: Discussion of proposed polystyrene use restriction regulations 6pm
- 2.2 Public Hearing: New Littering Regulations Continued 645pm
- 2.3 Public Hearing: 71-75 Main Street – Septic Variance 7pm
- 2.4 35 Adams Road – Septic Variance
- 2.5 5 Beech Street – Septic Upgrade
- 2.6 203 Main Street – Septic Upgrade

3. WORK SESSION

- 3.1 Invoices and Payroll
- 3.2 Performance Evaluation Discussion
- 3.3 Future Agenda items:
 - i. *Weston & Sampson Groundwater Discharge Permit Update – TBD pending DEP comments*
 - ii. *Tobacco Regulations Review with Tobacco Alliance Director – TBD no updates at this time*
 - iii. *Food Permit fees – discussion regarding removing \$5.00 annual fee for Townsend – TBD*
 - iv. *Recycling Fees Increase – 3/23/2020*

4. ADJOURNMENT

DRAFT: Polystyrene Use Restriction Regulations

Effective (January 27, 2020)

1. Purpose

These regulations are adopted in the interest of and for the preservation of the public health of the citizens of the Town of Townsend.

2. Authorization

These regulations are adopted pursuant to MGL c. 111 section 31 as amended.

3. Definitions

As used in these regulations, the following terms shall be defined as follows:

Disposable Food Container: Single use disposable containers used for the purpose of serving and transporting prepared and ready-to-consume food or beverages. This includes but is not limited to plates, cups, bowls, coolers, trays, and hinged or lidded containers. This does not include single-use packaging for unprepared food, nor single-use items such as disposable straws, cup lids, or utensils.

Expanded Polystyrene (EPS): Polystyrene that has been expanded or "blown" using a gaseous blowing agent into a solid form.

Food Establishment: An operation that stores, prepares, packages, serves, vends or otherwise provides food for human consumption, including but not limited to an establishment requiring a permit to operate in accordance with the State Food Code. *define state code*

Polystyrene: Also be referred to as "Styrofoam", a trademarked brand owned by the Dow Chemical Company. A type of expanded polystyrene, a thermoplastic petrochemical material utilizing a styrene monomer and processed by any number of techniques including, but not limited to, fusion of polymer spheres (expandable bead polystyrene), injection molding, form molding, and extrusion-blow molding (extruded foam polystyrene). Polystyrene also refers to clear or solid polystyrene, also known as "oriented polystyrene".

Prepared Food: Food and beverage prepared on the food provider's premises for consumption using any food preparation or cooking technique. This does not include unprepared food such as uncooked raw meat, fish or eggs unless provided for consumption without further food preparation.

Styrene: A colorless, flammable liquid, characterized with a sweet odor and high volatility. This industrial chemical is used to make polystyrene.

Retail Establishment: Any commercial business facility that sells goods directly to the consumer including but not limited to grocery stores, pharmacies, liquor stores, convenience stores, restaurants, retail stores and vendors selling clothing, food, and personal items.

4. Applicability

- a. Except as provided herein, food establishments shall be prohibited from dispensing food to customers in disposable food service containers made from expanded polystyrene.
- b. Except as provided herein, retail establishments shall be prohibited from selling or distributing expanded polystyrene disposable food service containers to customers.

5. Violations

Whoever violates these regulations shall be punished by a fine of not more than \$20 for each violation for which a penalty is not otherwise provided for, in any of the applicable General Laws. Fines shall be payable to the Town of Townsend.

6. Enforcement

- a. Enforcement of this regulation shall be by the Townsend Board of Health or its designated agent(s). Any person who desires to register a complaint pursuant to the regulation may do so by contacting the Townsend Board of Health or its designated agent(s) and the Board shall investigate.
- b. Upon written application to the board of health, and upon showing by the food establishment that the conditions of this provision would cause undue hardship, the municipal health department or its designee may defer application of this provision for a food establishment for a one year period. An "undue hardship" shall mean a situation unique to the food establishment where there are no reasonable alternatives to the use of expanded polystyrene disposable food service containers and compliance with this provision would cause significant economic hardship to that food establishment.
- c. A food establishment granted a deferment must reapply prior to the end of that period and demonstrate continued undue hardship, if it wishes to have the deferment extended. Deferments may only be granted for intervals not to exceed one year.
- d. The application for a deferment or extension thereof shall include all information necessary for the board of health or its designee to make its decision, including but not limited to, documentation showing the factual support for the claimed deferment. The municipal health department or its designee may require the applicant to provide such additional information that it reasonably deems necessary to render a decision.
- e. The municipal health department or its designee may approve the deferment application, in whole or in part, with or without conditions.

7. Severability

If any provision of this regulation is declared invalid or unenforceable, the other provisions shall not be affected thereby but shall continue in full force and effect.

Signatures:

This regulation was passed on (1/27/2020) and shall take effect on (1/27/2021).

Please print your name thank you

BOH Mtg 3-9-2020

Carol Brigham

Chris Barnacoat

Gerene Sanguinet

Chisele Maloney

Emma Grazier

Amy Clement

Carla McLeman

Karen Clement

Hartley Pleshaw

WAYNE MURR

Judy Lewin Maider

Jon Winkler

DAVID WERLIN

BEVERLY NAPIOR

Jane Jackson

Andrew Shepherd

LINDSAY MORAND

Joe Lisco

Erika Varga

Joan Savay

William Cadogan

Stephen Gae

Sandi Gay

Heide Messing