

September 13, 2016

Meeting Opened: 7:31 P.M., Room 112, Town Hall
Members Present: William Morris, Chairman; Richard Bringhurst (7:35);
Richard Beauregard; Mona Bissany
Members Absent: Carol Johnson

Others Present: Kimberly Wallis, Regional Manager; Damon Wilkins, General
Manager, Chili's Restaurant
Attorney Robert Ryan; Christine O'Leary, 765 & 755 Washington
Street (correspondence)

MOTION: made by Mona Bissany that the Board of Health approve the minutes of the August 16, 2016 meeting as amended. Seconded by Richard Bringhurst. VOTE 3-0-1.
3 – in favor – William Morris, Richard Bringhurst, Mona Bissany
1 – abstained – Richard Beauregard

Public Hearing – Chili's Restaurant Violations:

Documents/Exhibits – Health Director's letter dated 8/22/16 to Damon Wilkins, Genral Manager Chili's.

MOTION: made by William Morris to open the public hearing Chili's Restaurant: Roll Call: Richard Bringhurst – aye; Mona Bissany – aye; Richard Beauregard – aye; William Morris – aye. 7:37 PM. General Manager, Damon Wilkins, Chili's Restaurant, was ordered to appear before the Board of Health for failing to comply with specific reopening conditions outlined by the Health Director after his establishment was temporarily closed for cleaning when a faulty dishwasher caused smoke damage in the kitchen area. Kimberly Wallis, Regional Manager, Chili's Restaurant, addressed the Board of Health stating that Chili's Restaurant takes the wellbeing of its customers very seriously. Damon Wilkins, apologized to the Board for the violations and said that the on duty manager instructed on the interim procedures to be followed until a new dishwasher could be installed failed to follow those procedures correctly, resulting in the violations the Health Director found during her follow up inspection. Mr. Wilkins said that that employee is no longer with the company. The Health Director said that the Health Department relies on an establishment to notify the office of any compliance issues that may arise and that after allowing Chili's to reopen it was very disheartening to find upon re-inspection that the conditions allowing for the reopening were not being followed. Ms. Chapell said that as General Manager, Mr. Wilkins, that responsibility is ultimately yours and questioned why a faulty dishwasher, that required repeated service calls, continued to be used for months. Ms. Wallis said that a new dishwasher has been installed and that Chili's has requested that ECO Lab (equipment leasing company) inspect the equipment every 30 days. William Morris said that if an issue arises in an establishment the Health Department relies on the skills and training of the management team to provide the necessary supervision and support to their employees so that they know what procedures must be followed and who to contact. Mr. Morris said that the Board of Health takes food safety very seriously and reminded Mr. Wilkins and Ms. Wallis the importance of food safety in an establishment and the consequences to their business should a food borne illness incident occur. Mr. Morris said that having a food permit in the Town of Walpole is not a right, but a privilege that is granted. Richard Beauregard asked how they addressed with their employees the condition the floors were found to be in during the Health Director's re-inspection. Ms. Wilkins said that a meeting was held to remind the entire staff that they need to work cooperatively and to be more diligent about cleaning a mess or spill immediately after it occurs.

MOTION: made by William Morris to close the public hearing: Roll Call: Richard Bringhurst – aye; Mona Bissany – aye; Richard Beauregard – aye; William Morris – aye. 7:50 PM.

Board of Health members agreed that appropriate measures have been taken to correct the violations and that no further action by the Board of Health is required at this time.

Special Permit – 642 Boston Providence Highway:

Documents/Exhibits – Special Permit Application (on file Zoning Board of Appeals); Deputy Health Agent's summary.

The Board of Health reviewed for comment the Special Permit – 642 Boston Providence Highway, to install 2 exterior signs and 2 electronic message centers to replace the existing signs.

MOTION: made by Richard Bringhurst that with respect to the request for comment from the Zoning Board of Appeals regarding the Special Permit – Case #14-16, 642 Boston Providence Highway the Board of Health has no specific concerns with this plan. Seconded by Mona Bissany. VOTE: 4-0-0 UNANIMOUS.

Special Permit – 19 Walpole Park South, Suite 4:

Documents/Exhibits – Special Permit Application (on file Zoning Board of Appeals); Deputy Health Agent's summary.

The Board of Health reviewed for comment the Special Permit – 19 Walpole Park South, Suite 4, Atrex Energy, Inc., to allow the storage and use of nickel oxide powder in greater than household quantities.

MOTION: made by William Morris that the Board of Health's comments to the Zoning Board of Appeals regarding Special Permit, Case #15-16 – 19 Walpole Park South are that the Board acknowledges that the Health Director has met with Atrex Energy, Inc. and outlined specific handling requirements for the proposed material as follows: storage is in a closed room with no floor drains and pails put in a secondary containment; that spill kits are located in key areas; that waste powder is collected below the dust collector and stored in a 55 gallon steel drum located outside and removed by Clean Harbors. The Board of Health is satisfied with these required precautions which provide for the safety of the community as this business uses and stores nickel oxide powder. Seconded by Richard Bringhurst. VOTE: 4-0-0 UNANIMOUS.

Variance – 54 Diamond Street:

Documents/Exhibits – Variance Application (on file Zoning Board of Appeals); Deputy Health Agent's summary.

The Board of Health reviewed for comment the Variance Request – 54 Diamond Street to allow a sun porch to be constructed within 15 feet of the rear lot line, minimum setback requirement is 30 feet. The property has an on-site septic system, no plan of the system is on file at the Health Department.

MOTION: made by Richard Beauregard that the Board of Health's comment to the Zoning Board of Appeals regarding the Variance Application, Case #16-16 – 54 Diamond Street is that the Board requires that a plot plan indicating the location of the existing septic system is filed with the Health Department before any variance is granted. Seconded by Mona Bissany. VOTE: 4-0-0 UNANIMOUS.

New Business:

Board of Health Associate Member:

The Board of Health reviewed a memo from the Board of Selectmen informing them that newly appointed associate member, Misty LaPorte, declined her appointment due to a work schedule change that made her unable to attend Board of Health meetings.

Health Director's role to educate residents about Marijuana health safety risks:

The Health Director informed the Board of Health that the State Ethics Committee has confirmed that as the Health Director for the Town of Walpole she has the authority to publicly state facts, risks, and express an opinion on public health issues concerning the community.

MOTION: made by William Morris that the Board of Health has an expectation that the Health Director would take an active role in educating residents of the Town of Walpole about any health issues that might be of interest so that the residents are fully informed of any potential consequences or health related issues that might be involved. Seconded by Richard Beauregard. VOTE: 4-0-0 UNANIMOUS.

Update:

Coalition for Alcohol and Drug Awareness:

The Health Director updated the Board of Health about CADA programs scheduled for September, October and November. Ms. Chapell said that the September 21st program "Learn the Walpole School Rules Pertaining to Drugs and Alcohol" venue has been changed and will be held at the High School auditorium instead of Town Hall.

Medical Reserve Corp:

The Health Director informed the Board of Health about upcoming MRC programs scheduled September 29th "Are you Ready? Emergency Preparedness and a Sheltering Table Top Exercise scheduled November 2, 2016.

Correspondence:

Planning Board – 2016 Town Meeting Zoning Articles

765 & 755 Washington Street - Robert Ryan explained to the Board concerns he expressed in his August 6, 2016 letter regarding the potential development of 765 & 755 Washington Street. William Morris said that at this time no proposed plan for the properties located at 765 & 755 Washington Street has come before the Board of Health for review or comment on the matter.

MOTION: made by William Morris to adjourn. Seconded Richard Bringhurst. VOTE: 4-0-0 UNANIMOUS.

Meeting Closed: 8:05 P.M.