

**Town of Middleton, Massachusetts
Board of Health**



MINUTES OF THE MEETING

June 6, 2012

The Middleton Board of Health held a public meeting on June 6, 2012 at the Fuller Meadow School (Media Room), 143 South Main Street, Middleton, Massachusetts at 7:00 p.m.

Board Members Present:

Robert Ambrefe, Chair

George Demeritt

Matthew Greenfield

Paul LeBlanc

Others Present:

Derek Fullerton, Public Health Director

Stacey Haynes, Recording Secretary

Esteban Cuebas-Incle, Ph.D., Entomologist

Jill Mann, Attorney at Law

Chairman Ambrefe opened the meeting at 7:00 p.m.

MEETING MINUTES

Mr. Chairman announced that the voting on the Board of Health meeting minutes from May 16, 2012 will be tabled until the next regular Board meeting in July.

EDS AUDIT

Mr. Fullerton announced that the Emergency Dispensing Site Plan Audit by the CDC has thankfully been completed and is very pleased with the outcome. Mr. Fullerton informs the Board that he is also happy to have been given a lot of great advice from the CDC reviewers, especially concerning Alternate Dispensing Methods. Mr. Fullerton briefly explains that this involves looking at alternative ways to execute the EDS plan which is designed to dispense medication to 100% of the population of the town within a 48 hour period.

According to Mr. Fullerton, the reviewers from the CDC commended the health department on the work, stating the EDS Plan was “very well done”, and they will be recommending to the Department of Public Health that Middleton use sections of this EDS Plan for Best Practices for the State of Massachusetts.

The Reviewers will score the EDS Plan for the Federal Government and will inform Mr. Fullerton of the results once they are completed.

Mr. Chairman thanks Mr. Fullerton for a job well done and if any assistance is needed. Mr. Fullerton states he has assigned an intern from Massachusetts Maritime to work on any “gaps” in the plan in preparation for next years audit.

FERNCROFT COUNTRY CLUB VARIANCE REQUEST OF MIDDLETON BOARD OF HEALTH REGULATION §330-3: LIFEGUARD REQUIRED FOR OUTDOOR POOLS

Mr. Chairman announced to the Board that he will be excusing himself as Chair for this variance request because Jill Mann, who is present as legal representation for Ferncroft Country Club, represents Mr. Ambrefe in personal business.

Mr. Chairman now asks Mr. Demeritt if he will stand in as acting Chair for the variance request. Mr. Demeritt states he would be more than happy to do so.

At this time, Ms. Mann approached the Board stating she is representing Ferncroft Country Club and is requesting a variance to Middleton’s Board of Health’s Regulation §330-3 which states that all outdoor pools need to have a lifeguard on duty at all times. Ms. Mann states that pursuant to Massachusetts laws regarding outdoor pools, a local Board of Health is able to regulate when, and to what extent a lifeguard is necessary. Ferncroft Country Club is seeking some “slight relief” to when having a lifeguard is necessary, which would only be (slight relief) during a Master Swim Program they would like to offer it’s members.

Ms. Mann explained the conditions of the Master Swim Program to the Board. The program is intended for members only from 6am – 8am on weekdays and from 7am – 9am on the weekends. Only adult members over the age of sixteen will be using the pool during these times. The pool is completely fenced in and is only accessible through their workout area. The program is intended for adult members who would like to use the outdoor pool to do laps before it is open to the public. Members will be over the age of sixteen and no guests will be allowed. When the pool is open to the public from 10am-8pm a lifeguard will be on duty during this time.

Mr. Demeritt states that the Middleton Board of Health Regulation § 330-3 states that all outdoor pools have a lifeguard in attendance at all times when the pool is open for business, and asks Ms. Mann if, during the Master Swim Program, the pool is open for business. Ms. Mann assures the Board that the pool is not open for business during these times, and is only intended for use by their members only for exercise.

Mr. Greenfield asks if by granting the variance request, will the town assume any liability if an incident were to occur. Ms. Mann states that under no circumstances will the town occur any liability.

Mr. Demeritt asks if the variance is requested, will there be signage indicating that no lifeguard will be on duty during these times. Mr. Fullerton states that it would be his recommendation to the Board that, if the variance is granted that extra signage be added to the workout room which is the only entrance to the outdoor pool.

Mr. LeBlanc comments that in the past the Board has rejected the same variance request made by Fuller Pond Village and in his opinion that the Ferncroft should have a lifeguard on duty at all times in case any incident were to occur.

Mr. Greenfield adds that as long as the town would not be held liable for any incident, he is in favor of granting the variance request.

Mr. Demeritt now asks if an acting chairman may second the motion. Mr. Chairman tells Mr. Demeritt he may do so. Mr. Demeritt believes that the request is reasonable under its specific conditions that it covers.

MOTION: Mr. Greenfield moves to accept the local variance request of the Middleton Board of Health Regulation §330-3: Lifeguard Required for Outdoor pools to permit the outdoor pool at Ferncroft Country Club to be open without a lifeguard on duty during the Master Swim Program, subject to the following conditions: That the Master Swim Program permit only members, deny admission to any guests, and be adult members only. Mr. Demeritt seconds the motion. Mr. LeBlanc opposes the motion. Motion carried 2-1.

Mr. Fullerton informs Ms. Mann he will need to see the signage, and will then issue an additional permit to post listing the specific conditions. Also, according to the State Regulations, the permit will only be granted for the Ferncroft's pool season which runs between Memorial Day and Labor Day. A new permit will need to be requested each year.

MOSQUITO/WNV/EEE PRESENTATION BY NORTHEAST MOSQUITO CONTROL

The Board announced it will begin a Mosquito/WNV/EEE Presentation which is being recorded for the public access cable station which broadcasts in Middleton.

Mr. Esteban Cuebas-Incle, PhD. who is an Entomologist from the Northeast Massachusetts Mosquito Control & Wetlands Management District thanks the Board for the invitation to do a presentation on the importance of mosquitos and how to protect ourselves from the diseases they transmit. Mr. Cuebas-Incle briefly gives some background information about himself and his work, explaining that the Northeast Massachusetts Mosquito Control is a public agency that is supported by funding by the individual cities and towns that are in the program.

At this time, Mr. Cubeas-Incle begins his slide show presentation - Mosquitos and the Disease they Transmit: How You Can Protect Yourself. Copies of the presentation are also handed out to the Board and are attached to this record.

VECTOR MANAGEMENT PLAN 2012

Mr. Fullerton announces that he has received the Vector Management Plan 2012, and will email a PDF copy to each member of the Board. If the Board has any questions regarding the plan, Mr. Fullerton will answer them or forward the information to the Mosquito Control District to answer.

Mr. Chariman asks about the current surveillance program.

Mr. Cuebas-Incle states the mosquito surveillance program began on April 30, 2012 and briefly explains that the numbers are low in Middleton due to the recent drought. No results have been made at this time.

Mr. Chaiman states that the results of the Vector Management Plan will be discussed at next meeting.

OTHER BUSINESS

Mr. Fullerton announces that Middleton Board of Health has received a \$500 grant from the 2012 Local Public Health Mini-Grant Program. The grant will be used for the implementation of the SNAP Program at the Farmer's Market.

A second grant of \$500 has also been received from The Cell Signaling Technology Corporate Donations Committee. The grant will be used for Trail Signage for the Rails to Trails Program.

Mr. Fullerton informs the Board he has four interns currently working on Rails to Trails Program, SNAP Program and EDS Plan and a town-wide COOP Plan. Mr. Fullerton hopes to sign on a fifth intern which he will assign to work with Tracy Mello, Public Health Nurse on investigating a Sharps Disposal Program.

Mr. Chairman asks Mr. Fullerton if each intern would like to attend one of the regular Board of Health meetings to meet them and to get an update of the projects they are working on. Mr. Fullerton states that they are looking forward to attending a future meeting.

NEXT MEETING

The next regular Board meeting will be held on July 11, 2012.

ADJOURNMENT

MOTION: There being no further business, Mr. Demeritt moves to adjorn the meeting. Mr. Greenfield seconded the meeting. Motion carried unanimously.

Respectfully submitted,

***Stacey Haynes
Recording secretary***