



TOWN OF CHARLTON
37 MAIN STREET
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508-248-2210

BOARD OF HEALTH

January 3, 2023

Members Present:

Matt Gagner, Chair

Peter Lancette, Vice Chair

Jon Sanborn, Member

Others Present:

James Philbrook-Health Director

Gary Magnuson-CMG Environmental

- Chair, Matt Gagner, called the meeting to order at 6:01 p.m.
- Vice Chair Peter Lancette made a motion to accept the January 3rd, 2023, minutes. Member Jon Sanborn seconded, all in favor.
- Matt made a motion to accept the January 19th, 2023, minutes. Member Jon Sanborn seconded, all in favor.
- New Business
 - Oxbow Variety Hearing regarding Tobacco Violation on December 23, 2022
 - Jim spoke today with the tobacco coalition. They mentioned that the Board can make the suspension of sales just one day instead of 3. The fee is set by the state and can't be lowered by the town.
 - Love Swadia is the owner of Oxbow Variety and he showed the Board a letter from the Leominster coalition from last year that showed a picture that was not from their store. Jim explained that they just show a picture of the product in general and not necessarily from that store.
 - There was a sting at Oxbow Variety as well as many other stores in the area that night. Love explained that the surveillance on the cameras in the store expire every 2 weeks. The letter came from the Leominster Coalition on January 10th. Matt doesn't see burden of proof. They spoke to all 3 employees that were on that day and time and nobody admitted to selling to a minor.
 - Health Director James Philbrook explained that the fine cannot be reduced, and the coalition would not want to get them in trouble if there wasn't really a sale to underage.

- Matt is not happy with the fact that the mass.gov website regulations and our regulations are outdated. The governor raised the fine and there is nothing in writing showing that we can reduce the days of closure. There are too many loose ends.
 - Jim explained that the representative of the coalition can come to a meeting if we table this for now. That would allow for both sides to be able to speak about this issue.
 - Peter made a motion to table this to the next meeting. Jon second, all in favor.
- Fresh City Mass Pike West hearing to reopen.
 - Angel Castillo Manager of Fresh City and Donald Wright, the owner, were in attendance.
 - They appeared in front of the Board a couple of months ago because of a closure due to too many violations. Jim had been doing spot checks and the manager Gloria had been doing a good job. Jim tried to communicate with the workers that were present that there were violations that were risk to public health.
 - Matt doesn't want to put anybody out of business, but they must make sure that the restaurants are doing the best they can to do the right thing for our vulnerable populations especially in such a high traffic area as the Mass Pike.
 - Donald explained that they had to make some changes. There was staff there that just wouldn't listen. They have the knowledge and the training, and they need to execute it in Fresh City. Jim needs to see a competent Servsafe person on duty. There needs to be proper management overseeing the daily procedures. Jim will do an inspection when they show us, they have competent staff.
 - Angel explained that they are having an employee work together with McDonalds manager and the Fresh City manager in Westboro to train them.
 - Peter mentioned that he would feel more comfortable knowing that there was someone there that is servsafe certified. Jon agrees.
 - Donald would like to present a timeline to Jim, and they will get everyone that works at Fresh City servsafe certified. They can have McDonalds managers pop over to Fresh City and do spot checks as well.
 - Matt would recommend a 30-day suspension from the time they were closed. He would let them reopen as soon as Jim says they are good to reopen. Jon agrees that it is fair. Peter made a motion to allow Fresh City to reopen after the 30-day suspension once Jim approves the conditions. Jon Second, all in favor.
 - Matt spoke about the deplorable conditions of the outside of the facility. Also broken bathrooms and building issues. Matt warned them that they will be on site quite a bit to monitor this.
- Proposal from Earth Day Committee to be a committee under the Board of Health

- The chair asked if this could be tabled until her members are back from vacation.
 - Matt explained that Keep Charlton Beautiful Committee would like to take the Earth Day Committee under their wing which would make them another sub committee under the Board of Health. Jim had explained to them that they should go to local businesses and ask for donations for Earth Day. Also, the Board of Health should be asked about this, not the Selectman. Matt wondered why they could not report to the Board of Health directly. We don't have money in our budget right now to fund Earth Day but are willing to discuss this further when the committee is available to attend a meeting.
 - Jon made a motion to table this until the next meeting. Peter second, all in favor.
- Old Business
 - 54 Flint Road Landfill
 - The Board had a discussion with MassDEP. The discussion went from developing schedules and timeline for capping the landfill. Then the chemical PFAS was discussed. DEP has given us forwarding that this group of chemicals is more than likely in our drinking water and it effects vulnerable populations. Gary explained that it is an emerging containment with emerging data on toxicity. The government has standards, and they are looking at updating them. The EPA is looking at changing the standards but not sure if Massachusetts will. They most likely will lower the standard. 20ppt is the drinking water standard currently. At this point neither the capping of the landfill or testing for PFAS is mandated by the State. We are being told that it needs to be done, but not officially mandated.
 - Matt wants to have a conversation to see what we need to do to keep the public safe and stay in compliance and how we will fund this. Jon reminded us that towns that have landfills will be required to test for PFAS according to MassDEP discussion on January 19th.
 - Gary believes that capping the landfill is mandated. Comprehensive site assessment was submitted in 2010. Gary explained the process that has occurred and how we need to move forward with a timeline that will be established soon. Gary had a conversation with Jim McQuade of the MassDEP to discuss the agenda just before the January 19th meeting. The Board must provide MassDEP an addendum to the comprehensive site assessment outlining PFAS assessment of the monitoring wells and surface water. The Board needs to vote on it and there needs to be funding. If the monitoring wells have any detection over the limit, then the 500 foot radius testing could be the next step.

- Matt asked if we would have to do this for 90 Flint Road as well. Gary shared a map that shows wells within 500 feet of the monitoring wells. Surface water can be tested as well.
 - Matt would like to send out a flyer to the residents that are close to the 54 and 90 Flint Road landfills making them aware of another potential contaminant. Gary suggested we send out the EPA fact sheet with a town letter.
 - Peter suggested we put a reminder on our website that everyone should be testing their well on a regular basis.
 - Gary explained that public wells are mandated to test PFAS, but private wells are not at this time. Gary does not want to create a scare, but he agrees that residents near the landfill should be aware.
 - The Board will keep PFAS on the agenda and draft a letter to the Town Administrator and Financial Committee about needing potential funding for PFAS testing. There was a discussion about who should be included in the letter. Gary will work with Jim and Andrea to put a letter together for the Board to review.
 - Only action item for 54 Flint Rd. is an addendum about adding PFAS to sampling. Gary can draft a letter to the DEP about the timing on this.
 - Jon made a motion to table the discussion about the 54 Flint Road Landfill. Peter second all in favor.
- Department Head Reports
 - James Philbrook, Health Director, presented the Logos that the Bay Path Graphic Design students created for Charlton Coalition of Public Health.
 - Contact tracing grant was extended for another year.
 - Brianna is training to be the regional inspector for CCPH.
 - Jim and Kim did an inspection of Overlook with the new tablets and food code pro software. This will take some time to get used to.
 - A review the maps in office about water issues to see what is still current needs to be done.
- Other Business Not known at time of posting
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- Next meeting will be February 15, 2023, at 6:00 p.m. to talk about PFAS letter over Zoom. Meeting on February 28th at 6:00 p.m. for Earth Day discussion as well as Tobacco appeal and funding for PFAS.
- Jon made a motion to adjourn, Matt seconded, all in favor 8:21 p.m.

Matt Wagner

Jon Taylor

[Signature]