



**TOWN OF GROTON**  
**Board of Health**  
**173 Main Street**  
**Groton, Massachusetts 01450**

**MEETING MINUTES**  
**March 17, 2014**

**Board of Health Members Present:**

Jason Weber, Chairman  
Robert Fleischer, Member  
Susan Horowitz, Member

**Others Present:**

Regina Beausoleil, Interdepartmental Assistant

**Not Present:**

Ira Grossman, Health Agent

**Meeting Called to Order:**

Chairman Weber called the meeting to order at 7:00 pm in the Town Hall.

**Raw Milk** – (Continuation) Helene Cahen, Applicant

Chairman Weber stated that the Board has not yet received a formal written request from Ms. Cahen regarding the sale of raw milk to her CSA customers. Ms. Cahen stated that that makes sense as she only asked to be on the agenda in order to have a discussion. Chairman Weber asked if any Board members had any questions or statements. Member Fleischer wanted clarification that there was no actual prohibition on the sale of raw milk itself. Ms. Cahen stated her understanding that no matter how much (or little) raw milk she were planning to sell, her operation would need to be certified by the State. The Town can impose stricter guidelines on top of the State's guideline and there are no restrictions on the sale of raw milk per se, but the milk has to be picked up from the farm. Member Fleischer asked if the plan was to only sell the raw milk at the farm. Ms. Cahen stated her aim was to be a self-sustainable homestead, so the milk will stay on the property until it is picked up by the CSA customer. Member Horowitz wanted it known that the intention of the Board was not to interfere with agricultural activities but that it was the Board's responsibility to protect the public health.

Ms. Cahen read from a source from the internet that made the point that pasteurized milk doesn't mean it's safer. She stated there has been no recorded outbreak in Massachusetts from Raw Milk in the past 20 years. Chairman Weber stated that this information was not relevant to the current discussion. Member Fleischer stated the operation would need to be inspected and certified.

Cynthia Labbe, a registered nurse and resident of Nashua Road who owned goats spoke. She stated she bred and showed goats and would also like to sell raw milk. She stated she would like to get further clarification on the bylaw and any information the Board comes up with.

Ms. Cahen stated that since the bylaw went into effect January 1<sup>st</sup> 1958 it has never actually been applied in the Town of Groton. Member Fleischer stated that he wasn't convinced the bylaw prevented Ms. Cahen from doing what she wanted to do. George Moore, Animal Control Officer stated that he interpreted the bylaw to say that raw milk could be sold, if the state's criteria were met.

Chairman Weber asked the Board hypothetically whether if Ms. Cahen agrees to the State rules, could the Board of Health impose stricter rules. He suggested the Board get a legal opinion from Town Counsel. Chairman Weber also asked that anyone wanting to sell raw milk in the Town of Groton submit to the Board a formal written request with supporting evidence for the sale of raw milk. Chairman Weber stated if the Board wanted to further educate purchasers of raw milk it might best be accomplished via labelling. He requested that proponents of raw milk provide more reliable and/or statistically valid information regarding the safety and benefits of raw milk.

Ms. Cahen stated there is a "huge black market" for buying and selling raw milk due to the current restrictions and that she doesn't mind going through the process to facilitate approval from the State. Chairman Weber reiterated his request for data in support of the case for raw milk. He then suggested the issue be continued to April 7<sup>th</sup> @ 8:15PM.

Dr. Jean Nordin-Evans who is a dentist and raw milk proponent asked Chairman Weber what difference the data was going to make. Chairman Weber stated that pasteurization has been shown to provide safety benefits. Dr. Nordin-Evans stated she felt the burden of this research should be on the Board and not the farmers. She further stated that the board should be able to get that info from Town Counsel. Only the town of Framingham has added local regulations on top of those required by the state although Foxboro tried, she said. She asked to not make this matter more complicated than it has to be. She also wanted to know what the Board's jurisdiction in the matter was.

**Sewer Commission** – Jim Gmeiner, Sewer Commissioner, Tom Orcutt, Water/Sewer Superintendent

Chairman Weber stated to the Board the purpose of the new Chp. 190 proposed bylaw. He stated Title 5 is not perfect and a lot of properties slip through the cracks. This begs the question on whether or not Sewer is better. Mr. Gmeiner stated in most cases it is better but essentially you are just moving the waste elsewhere. Chairman Weber stated he would personally like to see a regulation that holds commercial properties to a higher standard in regards to connecting to sewer. Member Fleischer stated he was reluctant to rely on maintenance. Chairman Weber asked who is responsible. Mr. Gmeiner stated between the BoH and the Sewer Commission we can all help monitor. Chairman Weber asked which Board would be doing what. Mr. Gmeiner stated the Sewer Commission would provide data and administrative needs and the BoH would provide enforcement. Chairman Weber asked if the Board agreed commercial properties should connect to sewer, noting that since Emerson and CVS share a system the rules should be different. A brief discussion ensued regarding expansion of the Sewer District. Mr. Orcutt stated the commercial properties could have a test done every year. Chairman Weber stated the commercial properties should just connect. If it is a hardship for the property they can come before the Board

to apply for the hardship at that time. Financial data would need to be provided that backs up the hardship claims.

Major points:

1. Commercial properties need to connect
2. Annual letter needs to be sent.
3. Certified letter needs to be sent within 30 days
4. Board of Health tracks properties

Mr. Orcutt stated the language should be ironed out by the April 7<sup>th</sup> meeting.

### **CMMCP**

The Board was asked by the Board of Selectmen to rescind the agreement with Central Mass Mosquito Control Project approved at Fall Town Meeting. The motivation for this is to allow the funds involved to be reallocated towards the school budget shortfall. Selectmen Stuart Schulman was present in the audience and stated the school currently has a certified budget but will most likely experience financial difficulties for years to come. Member Horowitz asked what other alternatives there might be. Chairman Weber stated he would prefer to deliver this message at Town Meeting because he had presented the original request. He added that it could be a 2-part message consisting of [1] recommending rescinding of the agreement and [2] reiterating the importance of the original issue (mosquito control) while explaining the need for this change and explaining that the Board would be back before a future Town Meeting to pursue mosquito control again. Chairman Weber asked Mr. Schulman if he thought the Board of Selectman would support this approach. Mr. Schulman stated they would have to think about it.

Member Horowitz made a motion to rescind the CMMCP agreement passed at Fall Town meeting with the understanding that the matter will be brought back up in the near future. Member Fleischer seconded the motion and the vote was unanimous.

Member Fleischer voted to adjourn the meeting at 9:01PM. Member Horowitz seconded the motion and the vote was unanimous.

Respectfully submitted

Regina Beausoleil  
Interdepartmental Assistant

**APPROVED: May 16, 2016**

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