

BOARD OF HEALTH MEETING MINUTES

November 21, 2016

PRESENT: Donna Bagni (Chair), Gary Fine (Clerk), Gail McSweeney (Member), Lisa Cullity (Health Agent), Sheila Landy (Secretary) and others.

At 6:30 pm Chair Bagni opened the meeting and read the following statement: *"Please note that this meeting is being made available to the public through an audio recording, which will be used to ensure an accurate record of proceedings produced in the minutes of the meeting. All comments made in open session will and are being recorded."*

Payroll was signed.

Minutes

- November 7, 2016: McSweeney made a motion to accept the minutes as written. Fine seconded and all were in favor.

Update on the Open Meeting Law Violation

Bagni presented a letter from the Attorney General stating the matter is closed. Bagni confirmed with the complainant the matter is closed.

Correspondence

Dr. Hartmann, a pediatrician, would to address the board regarding raising the age to purchase tobacco products to 21 years old. Bagni tabled the discussion until the Board can have him attend a meeting in January. Landy will contact the doctor to arrange a date. Bagni stated Pembroke Titans Against Drugs (PTAD) wants this addressed also.

Marijuana (Ballot Question 4)

Chief Wall, Pembroke Police Department is addressing the Selectmen this evening regarding how the Town will handle Ballot Question 4 passing. Pembroke voted against Question 4 but it passed at the state level. Pembroke may put it on the May Town election ballot. If it fails by at least ten percent, Pembroke can deny sales of marijuana products in the town limits. This will not affect personal use and the growing of plants on private property.

Sanitary Code Violations

Cullity advised the two sanitary code violations in private homes in Pembroke are being addressed. Dumpsters have been either delivered or ordered for each location. Cullity expects the problem to be resolved without any action by the Board of Health or the courts. Cullity will stay on top of the situations with weekly visits and will advise the Board at the next meeting.

Sanitary Code Violations at Commercial Locations

Cullity reported the violation at a Pembroke business has entered a contract with Heritage Pumping to keep the problem under control until a permanent fix is engineered along with site improvements.

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There is a new septic problem at Pembroke Hospital. There is a complete failure of the leaching field. No imminent danger to the residence or the public. Cullity will update.

Flu Shot Update

Cullity reported we have approximately 30 vaccines left. She has sent a blast email to Town Hall employees, the police department, the fire department and the library trying to get a number of how many people are interested in getting a flu shot. If more than 30 people want the shot, more vaccines will be ordered.

6:45 pm 35 Ridge Avenue – septic variance request as follows:

1. Pembroke Variance

1.1. Allow the Prop. Septic Tank to be 2' from the cellar wall instead of 10' required.

Mr. Gerry Mullin, homeowner and Mr. Dick Rockwood, Rockwood Design, appeared before the Board. The property is approximately 70' from a reservoir (Big Sandy Pond). The homeowner wants to raze the existing home and rebuild. The existing septic was installed in 1999. It is a pump system. Four years ago, they submitted a larger version of the new home and it was approved by the ZBA and the building department. It has never appeared before the Board of Health as they never moved forward. The variance is needed to allow egress from the home. The home is on Town water and no longer uses the well on the property.

Bagni asked for a motion to accept the variance as written. McSweeney moved to allow the 1 Town waiver as proposed. Bagni seconded and Fine abstained.

McSweeney made a motion requiring a membrane be installed along the foundation extending 10 feet beyond the septic in both directions to protect the home in the event there is a leak in the septic tank. Fine seconded. All were in favor.

Bagni made it clear that if there is any damage to the septic tank during the demolition of the existing home and the construction of the new home, the onus is on the homeowner to repair the damage.

Board of Health Office Activity – Lisa Cullity

In addition to Pembroke Hospital's septic problem, the Attorney General has released a Hot Line for people suffering from bias based harassment after the Presidential Election to call for help. Bagni made a motion for the Attorney General's Hotline number be placed as a resource on the Town website. Fine seconded and all were in favor. Cullity suggested the entire letter from the Attorney General be placed on the website and the Board agreed.

There are approximately 40 vaccines left which should cover Town Hall. Debbie Smalls of Rite-Aid in Duxbury would like to put on a flu clinic at no cost to the Town. Cullity suggested sometime between Thanksgiving and Christmas.

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Cullity reported Cumberland Farms on Center Street was struck by a car which went through the glass window on the side. Cumberland was re-opened after approximately 5 hours with a temporary wall. The next day, the glass was replaced. There is more structural work to be done to beef up the wall. They may move the propane tanks. Bagni and Cullity recounted the details for the board.

Pembroke Local Regulation Upgrade

Cullity suggested they take up the Local Regulation Upgrades in January. Bagni suggested Cullity to prioritize the regulations for a January meeting.

Cullity said marijuana is the top priority right now. She reported the state is very concerned as it was a ballot initiative and not legislated. Cullity said the Board needs to determine how it wants to deal with the legalization of recreational marijuana. Discussion ensued regarding possible regulations for marijuana, marijuana use and the opioid epidemic,

Bagni reminded the Board they would begin discussing the Health Agent's Contract renewal at the next meeting. McSweeney suggested the contract be for January to follow the calendar year, not the fiscal calendar. The Health Agent's Contract expires March 24, 2017. It is a three year contract and compensation is set by Town Meeting.

Health Agent Contract Renewal

Board received the contract via email. Discussion ensued about what the job duties currently are for the Health Agent and whether to add the duties to the contract. This will be discussed further. Bagni would like to vote on the Contract at the next meeting.

Bagni announced the next meeting will be December 5, 2016.

Bagni asked for a motion to adjourn. McSweeney made a motion to adjourn at 7:55pm. Bagni seconded. All were in favor.

Donna Bagni
Chair

MATERIALS & EXHIBITS

35 Ridge Avenue –Variance request and proposed construction plan (footprint) are available in the Board of Health Office.