

BOARD OF HEALTH MEETING MINUTES

October 24, 2016

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

At 6:33 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."*

Bagni introduced Mimi from WATD. Payroll was signed while waiting for Mr. Fine. Sheila Landy was introduced as the new secretary.

Mr. Fine arrived by 6:35 pm.

Minutes

- *September 12, 2016:* Fine made a motion to accept the minutes of September 12, 2016 as written. A motion to edit Page 2 – delete line, "- no public recording or any private recording on any devices allowed," was made by McSweeney. After discussion, Bagni seconded the motion to delete the line and accept the amended minutes.
- *September 19, 2016:* Fine moved to accept the minutes September 19, 2016 as written. McSweeney moved to delete the second sentence of the second paragraph on Page 2, "Will follow up tomorrow with a quorum after research." Bagni seconded McSweeney's request to delete the 2nd sentence. All were in Favor. McSweeney made a motion to accept as edited, Bagni seconded and all were in Favor.
- *September 21, 2016:* McSweeney requested the actual questions asked of the candidates be included with the minutes. Discussion ensued about the ramifications of releasing the questions and what would happen if the Board needed to hire another person. Bagni asked for a motion to accept September 21, 2016 minutes as written. Fine seconded. All were in favor. Bagni instructed the Secretary to not post the questions to the website but to keep them in the binder with the minutes.

396 Mattakeesett Street – septic variance request as follows:

1. *State Variances*
 - 1.1. Allow the Prop. S.A.S. to be 72' from a surface water supply instead of 400' required.
 - 1.2. Allow the Prop. S.A.S. to be 5' from the street line instead of 400' required.
 - 1.3. Allow the Prop. S.A.S. to be 10' from the cellar wall instead of 20' required.
 - 1.4. Allow the Prop. Microfast treatment tank to be 76' from a surface water supply instead of 400' required.
 - 1.5. Allow a 3' remove and replace of all unsuitable material instead of 5' required.
2. *Pembroke Variance*
 - 2.1. Allow the Prop. S.A.S. to be 52' from the top of inland bank instead of 75' required.

Mr. Webby from Webby Engineering appeared before the Board representing the homeowner. The property is less than 100' from a reservoir (Great Sandy Pond). There will be a deed restricting the property to two bedrooms. There will be a secondary system (denitrification) to reduce the impact on the environment. Fine asked if our engineer approved of the variance. Bagni moved to allow the 5 state waivers and 1 Town waiver as proposed; Fine seconded. All were in favor.

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44 Fairview Avenue – Septic variance

Postponed until November 7, 2016 to allow abutter notifications.

Update on the Open Meeting Law Violation

Gary Fine stated there has been no communication from the Town Attorney. Landy stated there had not been any correspondence received to the Board of Health Office.

Update on the Open Meeting Law Violation from McSweeney's attorney

McSweeney stated there were no updates from her attorney.

Attendance of Open Meeting Law Compliance Training

Bagni stated Open Meeting Law Compliance Training would be on October 25th at 6:00 pm. in Veterans Hall.

Procedure for approving minutes of the meeting

Bagni stated the procedure for approving minutes of Board of Health Meetings: Landy will transcribe and send the minutes to the board members. The Board Members would read and make any notes they deem and take up any questions at the next meeting. Bagni made a motion to accept the above procedure, Fine seconded and all were in favor.

Flu Clinic Update

Cullity reported the stats for this year's flu clinics. There was a higher turnout at the COA but very light at the public housing venues. Cullity reported the State said public flu clinics have had a lower turnout due to the wide availability of flu shots (CVS, Health Express, supermarkets, etc.). We purchased 150 flu shots. Cullity stated we can return unused vaccines for a credit. There was discussion as to whether to add another flu clinic. Cullity stated we should wait until after tonight's clinic and we have an accurate inventory of the number of vaccines left.

Review of Regulations

Cullity suggested she email Pembroke's current regulations regarding: Title V local updates, livestock, tattoo parlors. Discussion about chickens took place. We have a large amount of complaints regarding chickens. It may be time to look at regulations regarding chickens.

Bagni discussed future agenda items for the Board to start thinking about for review in 2017.

- Wells
- Marijuana by-laws, especially with the ballot question on the November election.
- Plastic bags
- Age 21 for purchase of all tobacco products. This must be acted on at Town meeting

Cullity brought up possibly changing the filter requirements for septic. Currently, new construction requires a Zabel A-100 filter. This filter is expensive (~\$200) and somewhat time intensive to

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replace. Often, the homeowner doesn't replace the filter when it fails which can lead to more expensive septic problems later. Cullity suggested switching to a sleeve type filter for new construction which is cheaper and easier to maintain. We currently allow retrofit of the sleeve filter in septic systems.

Fine asked Cullity how Hanover and Norwell were handling medicinal marijuana. Cullity responded most towns have restricted these facilities to commercial areas. Discussion ensued regarding the possibilities of the legalization of marijuana.

Fine asked if anyone was attending the Open House at Bridges by EPOCH's on Tuesday at 11:30. Fine hoped to attend.

Mimi of WATD requested the opportunity to ask the Board a question. Bagni granted the request.

Mimi asked about the Open Meeting Law Violation, its current status, when the findings would be released and if it would be discussed at future meetings.

Bagni gave the history of the Open Meeting violations starting back in May and the current status.

McSweeney said it is up to the Attorney General and the results would be posted on the Attorney General's website.

Bagni said Fine and McSweeney will update the board when the Attorney General releases its findings on the second violation. Bagni is optimistic about the findings. McSweeney and Bagni are optimistic about the future of the board.

Bagni announced the next meeting will be November 7, 2016.

Bagni asked for a motion to adjourn. McSweeney made a motion to adjourn at 7:40. Fine seconded. All were in favor.

Donna Bagni
Chair

MATERIALS & EXHIBITS

396 *Mattakeesett Street* – Webby Engineering plans and variance requests are available in the Board of Health Office.