

## BOARD OF HEALTH MEETING MINUTES

November 7, 2016

**PRESENT:** Donna Bagni (Chair), Gary Fine (Clerk), Gail McSweeney (Member), Lisa Cullity (Health Agent), Sheila Landy (Secretary), Stephanie Guarero (Hanover resident and Bridgewater State University Senior studying Public Health fulfilling a class requirement to attend a local Board of Health Meeting) and others.

At 6:29 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."*

There is no correspondence and the payroll is signed.

### Minutes

- *September 26, 2016:* Bagni made a motion to accept the minutes as written. McSweeney seconded and all were in favor.
- *October 24, 2016:* Bagni made a motion to accept the minutes as written. Fine seconded and all were in favor.

### Update on the Open Meeting Law Violation

Gary Fine updated the status of the Open Meeting Law violation. Gary explained the process prior to 2009 and how it was different after 2009. Carolyn Murray, the Town Attorney handling this matter, said she believes the Attorney General will not receive a follow-up request to make a ruling and the matter should be closed in about a week.

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

McSweeney stated her attorney said after 30 days, if there was an investigation, it would have been posted on the Attorney General website. It has not been posed and the matter is closed.

Bagni stated she would check in with the complainant and verify she is satisfied with the Board of Health's handling of the Open Meeting Law violation.

### Sanitary Code Violations

Cullity advised there were two sanity code violations in private homes in Pembroke. Family members in both cases are actively involved to rectify the situation. 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.

### 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.

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**6:45 pm      44 Fairview Avenue** –septic variance request as follows:

*1. State Variances*

- 1.1. Allow the Prop. S.A.S. to be 186' from a surface water supply instead of 400' required.
- 1.2. Allow the Prop. S.A.S. to be 3' from the street line instead of 400' required.
- 1.3. Allow the Prop. S.A.S. to be 6.5' from the cellar wall instead of 20' required.
- 1.4. Allow the Prop. Microfast treatment tank to be 159' from a surface water supply instead of 400' required.
- 1.5. Allow the Prop. S.A.S. to be 5' from a property line instead of 10' required.
- 1.6. Allow the Prop. Pump Chamber to be 5' from the cellar wall instead of 10' required.
- 1.7. Allow the Prop. Microfast Treatment Tank to be 5' from a cellar wall instead of 10' required.
- 1.8. Allow the Prop. Pump Chamber to be 1' from the street line instead of 10' required.
- 1.9. Allow the Prop. Microfast Treatment Tank to be 1' from the street line instead of 10' required.

*2. Pembroke Variance*

- 2.1. Allow the proposed design rate to be 110 G.P.D instead of 150 G.P.D. required.

Mr. Webby from Webby Engineering appeared before the Board with the homeowners, Paul and Brenda Smith. The property is approximately 200' from a reservoir (Big 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. Nancy McGuire (64 Thrasher Street, abutter) asked about the actual construction and traffic issues in such a tight area. Fine moved to allow the 9 state waivers and 1 Town waiver as proposed; Bagni seconded. All were in favor.

Board of Health Office Activity

Cullity stated it was a busy week at the BoH. In addition to the sanitary violations discussed earlier, there was a septic issue at a local business. The septic is in failure and it is at a facility used by kids. It is not a school or daycare. The owner has agreed to keep the facility pumped and clean. He has contracted with Heritage Pumping to do so. In addition to the septic upgrades needed, there are other issues (storm drainage and expanding the facility) the owner wishes to address at the same time. Cullity advised the owner that outbreaks in and around the facility would not be tolerated and if he fails to keep the system pumped, the Board of Health would be forced to close his facility to the public. Cullity said the owner understands the gravity of the situation.

There was a call regarding the Hobomock rooster. There have been no calls in six weeks regarding this rooster. Cullity will contact the owner to see what the plan is to remediate this problem. There are also some domestic ducks living on Hobomock pond. They probably will not survive the winter.

Cullity and Landy will be working the election Tuesday, November 8, 2016 and the Town Hall Board of Health office will be closed.

Cullity reported the office is very busy for so late in the season with permits, percs and inspections.

Pembroke Local Regulation Upgrade

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Bagni discussed the MAHB Conference she attended Saturday, November 5, 2016. She found a lot of interesting information from several presentations (The Opiate Crisis, Emergency Management Preparedness and the Independence of the Board of Health in Wellesley). Bagni gave McSweeney tips for the conference this weekend.

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.

Bagni announced the next meeting will be November 21, 2016.

Bagni made a motion to adjourn at 7:29pm. McSweeney seconded. All were in favor.

Donna Bagni  
Chair

**MATERIALS & EXHIBITS**

*44 Fairview Avenue* – Webby Engineering plans and variance requests are available in the Board of Health Office.