

BOARD OF HEALTH MEETING MINUTES

February 6, 2017

PRESENT: Donna Bagni (Chair), Gary Fine (Clerk), Gail McSweeney, Lisa Cullity (Health Agent), Sheila Landy (Secretary), Justin Mattinson (PTN), Sam Clemmens AKA Charles Mathewson (WATD), Adam Silva (Pembroke Mariner) and others (Exhibit A).

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

Gail stated she never received the minutes. Since McSweeney was not present for the last meeting (January 23, 2017), Fine moved to accept the minutes as written. Bagni seconded. Roll call vote and Bagni and Fine voted “Aye” and McSweeney abstained.

47 KINGS TERRACE – Variance request, Joe Webby of Webby Engineering appeared before the Board requesting two local upgrade regulation variances. Fine made a motion to accept the variances as written. McSweeney seconded and all were in favor. (Exhibit B)

Old Business

Health Agent Updates

11:50

Sanitary Code Violations and Template for Form to track such violations

The Board discussed the draft of the form with suggestions of verbiage to use in the form. Protecting the privacy of the people involved was also discussed. Cullity advised the Board 4 of the 5 private home violations have been resolved and require no further action. The 5th home requires a new septic and plans are being engineered to correct the problem. (Exhibit C)

Sanitary Code Violations at Two Commercial Locations

The quarterly report by an independent firm of the larger commercial property shows the problems have been corrected.

The second commercial property has contracted with Heritage Pumping to pump the system weekly or bi-weekly as needed. The owner is still working his site plan review with the planning board to upgrade his facility. Approval by the planning board is needed before the final design of the septic can be completed. There should be no public health threat from this facility. The owner has been advised any outbreak of the septic system will result in closure.

Board of Health Office Activity

Cullity reported the office activity has been slowing down a little bit although we still have a lot of percs and inspections.

MAHB and MHOA (New Business)

20:39

This is a renewal of memberships for 2017. Members decided to renew both memberships. (Exhibit D)

Cannabis Committee (Old Business)

20:15

Fine reported he had met with the Cannabis Committee the previous Saturday and they have begun discussing how to handle the implementation of Ballot Question 4 (BQ4).

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New Business

26:14

January 9, 2017 Open Meeting Law Complaint

Carolyn Murray, Esq., Kopelman and Paige, discussed the Open Meeting Law (OML) complaint regarding the January 9, 2017 Board of Health meeting in order to vote on response to Attorney General. Bagni made a motion to have Carolyn Murray draft a response to the OML Violation taken out on 1/27/2017 and have Gary Fine work directly with Carolyn, keeping us advised as to the progress. Fine seconded the motion. All were in favor. (Exhibits E and F)

1:01:45

Fine made a motion to require all supplemental materials for future meetings be submitted to the BoH Secretary for distribution to Board Members no later than 3:30pm the Thursday before the meeting. If any materials were to be brought to the Meeting without being distributed prior to the meeting, the topic would be tabled until the next meeting. Bagni seconded this motion and all were in favor.

13 Points of Interest Pertaining to the Pembroke Local Regulation Upgrades

1:11:39

Bagni made a motion to table the 13 Points of Interest Pertaining to the Pembroke Local Regulation Upgrades for the next meeting. Fine seconded. All were in favor.

T21

Kathy Wilbur, Program Manager of the Southeast Tobacco Free Community Partnership, offered her services to the Town to help formulate regulations for T21. Cheryl Sbarra is tentatively scheduled to appear before the Board. Fine made a motion to move to support in principal the moving of the purchase tobacco and tobacco products in the town of Pembroke from age 18 to 21 with 'particulars' and an effective date determined within the next four weeks, following the Board's meeting with Cheryl Sbarra, the state's director the tobacco prevention program." Gail seconded and all were in favor.

Town Study Committee Questionnaire

1:20:42

The Board discussed the "first run" Lisa took. The Board will look it over and fine tune the response at the next meeting. (Exhibit G)

Plastic Bag Initiative

1:26:24

Board discussed possible Survey Monkey questions, which establishments would be affected and how to implement any regulations they may decide upon. Based on the discussion, the Health Agent will write up four questions and email to the Board for approval at the next meeting. (Exhibits H)

Job Description

1:42:47

Bagni made a motion to table the Job Description discussion until the next meeting and to leave the discussion in Open Session.

Change to Article XXXII

1:49:50

The Board will put in an amendment to Article XXXII to exclude livestock from permits that can be denied due to non-payment of Town fees. (Exhibit I)

Next meeting will be on February 27, 2017.

At 8:24pm, Fine made a motion to adjourn. McSweeney seconded and all were in favor.

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Donna Bagni
Chair

Exhibits

- A. Attendance Sign-in Sheet
- B. Variance Request 47 Kings Terrace
- C. Health Code Violation form (database)
- D. MAHB and MHOA membership forms
- E. January 9, 2017 Open Meeting Law Complaint
- F. E-mail from McSweeney to Sheila Landy re: food inspections and KP|Law: Reasons for Convening Executive Session
- G. Preliminary Town Study Committee Response
- H. Plastic Bag Initiative handouts
- I. Proposed change to Article XXXII