

BOARD OF HEALTH MEETING MINUTES

August 21, 2017

PRESENT: Donna Bagni (Chair), Gary Fine (Clerk), Gail McSweeney (member), Lisa Cullity (Health Agent), Joseph Cafano, Jr. (resident), Mimi Walker (959.9 WATD), Kaitlyn Bergin (Rooster Owner), Diane and Douglas Smith (Rooster Complainant), Donna and Richard Restucci (Rooster Complainant), Scott Osborne (Rooster abutter), and Diane R. Harju (Rooster abutter). (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."*

Correspondence

- Fall Special Town Meeting will be on Tuesday, October 24th at 7pm at PHS. The deadline to submit articles to the warrant is 4:00pm on Friday, August 25th.
- The Board of Selectmen sent a letter regarding recording of meeting minutes for all Boards and Commissions.
- A letter from Kaitlyn Bergin, 94 Mattakeesett Street, was read.

Meeting Minutes – the minutes were not ready for signature.

16 Cynthia Lane – Deck Variance – Joseph Cafano, Jr. (owner).

Joseph Cafano requested a variance for encroachment on the septic tank. He is replacing the existing deck with the same size deck (16'x30'). He is adding two footings to the deck on the other side (away from the tank). The current deck covers the septic tank and has an access hatch to the tank. The current system was installed in 1991. The Board requested the owner come to the next meeting with different ideas and costs to prevent covering the tank.

Old Business

Health Agent Updates

Sanitary Code Violations at Wolves Den

Another outbreak has occurred last week. The Planning Board discussed the Wolves Den at their last meeting which Bagni attended. John Poirier made many statements which have since been found to be untrue. Heritage Pumping has not made the system a tight tank. Contrary to what Mr. Poirier has been telling the BoH, there are no plans to expand the facility. The Board of Health went over requirements for the Wolves Den to stay open.

- The bathrooms in the facility are closed until the septic is replaced.
- The kitchen in the facility is closed until the septic is replaced.
- 8 portable toilets are on scene and will be kept maintained and clean until the septic is replaced.
- Any further complaints/violations will result in immediate commendation.

7:15 p.m. **94 Mattakeesett** – Rooster Complaint Hearing

Mrs. Smith presented her complaint about the roosters at 94 Mattakeesett St. The roosters start crowing before 7:00 a.m. Attempts to work with Ms. Bergin have been unsuccessful. Bergin stated she spoke to the state and she was told, "What do you mean they have a by-law about noise levels in a Right-To-Farm community?" Bergin spoke to Esther, Megan and their supervisor at the state. Bergin has 5 roosters but she has made 7 boxes to keep the roosters from crowing. Mrs. Harju does hear the crows when the sun comes up but it does not bother her. McSweeney did a site walk on Sunday, August 20, 2017. Bagni and Fine were not aware of the site visit. McSweeney stated Ms. Bergin invited her to take a walk-thru to see the work that was done. Bergin stated the Board was

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not invited but McSweeney was because she was sharing interest. Fine asked Bergin why she reached out to McSweeney. Bergin stated McSweeney showed an interest. Bagni tabled the discussion until the next meeting as tempers were flaring.

At 8:05 p.m., Chair Bagni made a motion to adjourn. McSweeney seconded and all were in favor.

Donna Bagni
Chair

Exhibits

- A. Attendance Sign-in Sheet
- B. Fall Town Meeting
- C. BoS Letter
- D. Kaitlyn Bergin Letter
- E. 16 Cynthia Lane Variance Request
- F. The Log kept by the Smith's