

**MINUTES OF THE BOARD OF HEALTH MEETING
May 21, 2018**

PRESENT: Gary Fine (Acting Chair), Gail McSweeney (Absent), Matthew Newman (Member), Edwin Thorne (DMI Director), Sheila Landy (Secretary), James Garfield (Morse Engineering), Mark Gulinello (homeowner), Michael and Christie D'Andrea (homeowner) and Art Egerton (reporter).

5:00 MR. FINE OPENED THE MEETING AND READ THE STATEMENT REGARDING AUDIO RECORDING OF THE MEETING

SCHEDULED APPOINTMENT – James Garfield, Morse Engineering, Septic Variance Request, 35 Liane Way

The home is on the market and has a failed Title V Inspection. The variance requests are:

1. To allow the use of one deep hole to characterize the soils in the SAS area.
2. A reduction in separation from the bottom of the S.A.S. and groundwater from 4 feet to 3 feet.

Chair Fine made a motion to accept both variances as written. Mr. Newman seconded and all were in favor.

SCHEDULED APPOINTMENT – Mark Gulinello, 67 Standish Street, Variance Request

Mr. Gulinello would like to tear down an existing deck and replace with a slightly larger deck. He was requesting a reduction in setback from the required 10' to 2' from the septic tank. Gulinello stated he is building the deck himself and he would hand dig the footing close to the septic tank. Chair Fine requested better plans. Chair Fine made a motion to table for two weeks while he checks with the Health Agent. Newman seconded and all were in favor. After hearing Gulinello wanted to started sooner than later, Fine said they would speak to the Health Agent and get him an answer sooner than later.

SCHEDULED APPOINTMENT – Michael and Christie D'Andrea discussing the condemnation of 92 Birch Street

The D'Andreas sent a letter to the Board of Health requesting a hearing. Mr. Fine asked Mrs. D'Andrea to summarize the letter. She stated she and her husband purchase a new construction property in December, 2014. Shortly after moving in, they discovered the house was covered in mold. They contacted the builder and he came to inspect on February 26, 2015. That was the last time they heard from the builder, Tracy White, voluntarily. In May, they managed to contact Mr. White through the realtor. At this time they found out Mr. White's insurance declined the claim for mold. In their research to find out why this happened, they discovered in the summer of 2015 the Pembroke Conservation Committee had issued an Order of Conditions where and how on the lot the house would be constructed. The builder ignored these requirements. The house was actually constructed in the seasonal high water table. During the many storms in the winter/spring of 2015, the basement of the home flooded. More than 2/3 of the house was covered in mold. It was visibly present in the attic and basement and air quality tests revealed it to be in the living quarters. The D'Andreas paid out of pocket for the remediation as the builder refused to pay. In September 2015, they entered into litigation against the builder. The insurance company is draining their finances. This has cost them \$140,000 so far. On January 15, 2018, the D'Andreas moved out of their home with just a trash bag of belongings and moved into an Airbnb. Mrs. D'Andrea has been diagnosed with Multiple Sclerosis. Mr. D'Andrea has been diagnosed with autoimmune disease as well. Their doctors are very confident it is secondary to be living in this environment. The D'Andreas believe the house should not be sold to anyone as it is unsafe. Litigation continues. The Pembroke Health Agent inspected the home March 19, 2018 at the request of the D'Andreas and cited violations related to the chronic dampness. Mr. Newman made a motion to condemn the house due to chronic dampness. Fine seconded and all were in favor.

BOARD ACTION – A motion to accept the Minutes of March 12, 2018, April 9, 2018 and April 23, 2018 as written was made by Chair Fine, seconded by Matt Newman and all were in favor.

HEALTH AGENT'S REPORT

The Secretary gave the Health Agent's Report.

MINUTES OF THE BOARD OF HEALTH MEETING

May 21, 2018

The Fieldhouse – A complaint came in by phone today about the “appalling conditions at the Fieldhouse. The Health Agent went by the Fieldhouse and, while the restroom was locked, the Agent could tell it had been hosed off. There was some paper debris on the stairs. There was a tournament there over the weekend with over 1,000 people. The secretary will call Poirier tomorrow. The Agent went by the Fieldhouse the end of last week and there appears to be some progress being made. Trees are marked to be cut down. The Contractor has not come in to pay for his license or to pick up the plan. Chair requested Mr. Poirier appear at the next meeting on June 4th.

Pembroke Hospital – There is no change in status. We are still waiting for final approval from the state.

Columbia Road – There has not been issues since the Bull Run valves were switched to the other field. Bob Brenton from Heritage Pumping has been going by to check on it weekly. The field in use will probably last 4-5 months at most. At this time, no plans have been submitted. Fine asked if any abutters have complained and the secretary replied no.

Office Activity – Phone calls are up. Banks have been asking for copies of the failed Title V reports in addition to the Certificate of Compliance of new systems. Some properties never actually have a Title V report. The inspector takes one look and says it is a fail (such as the cesspool is in the water table).

Woodbine Avenue – This property has a metal septic tank (an automatic fail) that needs to be replaced. In 2003, the homeowner pulled a permit to put a second floor on her home. At that time, Health Agent Fred Leary put a condition on the permit stating the tank must be replaced before an occupancy permit was issued. A repair permit was submitted but the work never happened. A certified letter was sent to the homeowner. Last week, the homeowner went to the building department to look at the folder. The Health Agent spoke to her and explained just the tank needed to be replaced, not the entire system.

OLD BUSINESS

Follow up draft minutes

Chair Fine informed the Board the Secretary has put the draft minutes up on the website. Fine thinks it is a great idea and would like to see other Boards do it, too.

NEW BUSINESS

8 To Educate – John Brown, newly elected Selectman.

Chair Fine congratulated Selectman Brown on his election to the Board of Selectmen. Selectman Brown stated he was looking forward to work the members of his Board to make the Town go further. He wants to first work on communicating to the citizens of Pembroke the work the Board of Selectmen are doing. He would like to expand on e-communications beyond the website – Facebook, etc. His communication background will aid letting the citizens know what the town government is doing to help them. He hopes to make it easier for citizens to get help when they need it. Fine asked what Brown was hearing from the townspeople when he was campaigning. Brown said the biggest topic was roads and what is the DPW doing? Schools were a big concern as it is a large part of our budget. It is a large part of every town budget. The schools are good communicating with their PTO blasts and the school committee itself. We have to figure out how to get our elected officials, representative and senate, to communicate with all. From Josh Cuttler we got \$556,000 for roads. The state estimates that is enough for two miles of road. The constituents need to know the cost of everything so they can decide if they want to pay for it or not. Most citizens don't know where the money is going. We have to let them know where it is and what it is getting them. They can then make an informed decision on what to do. Fine asked how we can increase the voter turnout in our local elections. Brown stated some people are into politics at the local level. Some are into it at the state level. Still others are concerned with the federal level.

OLD BUSINESS

Consideration of implementing a maximum number of livestock allowed on parcels less than 1.0 acre.

Acting Chair Fine tabled this discussion to the next meeting on June 4, 2018.

MINUTES OF THE BOARD OF HEALTH MEETING
May 21, 2018

PTAD UPDATE – Matt Newman

Newman was able to attend with a few members of PTAD a seminar given by the Plymouth County Drug Abuse Task Force. Tim Cruz, Sheriff McDonald and Governor Charlie Baker were there. It was interesting and enlightening. The Governor has made opioid abuse a priority. He is also involved in scholarships PTAD is giving out. Two five hundred dollar scholarships are being given out.

SEPTIC BETTERMENT PROGRAM – DMI Director Edwin Thorne

Mr. Thorne updated the Board on the status of the Septic Betterment program. Kris Fraser is the administrator of the program until she finishes the last two currently in the pipeline. When the last one is complete, she will forward it to Mr. Thorne. No decision has been made as to who will take it over.

NEW BUSINESS

BOARD REORGANIZATION

Mr. Fine stated this topic was originally at the beginning of the Agenda. He saved it for last hoping Ms. McSweeney would make the meeting after all. Fine said he enjoyed his time as acting Chair and it was a good experience. Fine made a motion to make Matthew Newman the Chair of the Board of Health. Newman seconded and all were in favor. Chair Newman made a motion to nominate Mr. Fine as the Clerk. Fine seconded and all were in favor.

Chair Newman asked for a motion to adjourn. Mr. Fine made a motion at 6:03 to adjourn. Newman seconded and all were in favor.

Matthew Newman
Chair