

MINUTES OF THE BOARD OF HEALTH MEETING
August 6, 2018

PRESENT: Matthew Newman (Chair), Gary Fine (Clerk), Lisa Cullity (Health Agent), Sheila Landy (Secretary), Edwin Thorne (Town Administrator/DMI Director, Ryan Craig (PACTV Video Recorder), Rob Adams (Reporter/Media Consultant), Art Egerton, James Watt (well driller), Nathan Popoloski and Robert Laine.

6:00 MR. NEWMAN OPENED THE MEETING AND READ THE STATEMENT REGARDING AUDIO RECORDING OF THE MEETING

SCHEDULED APPOINTMENT – James Watt – Well Driller – Well Regulations

Mr. Watt appeared before the Board to state his concerns with Pembroke's well regulations, specifically, artesian wells. He stated Pembroke was behind the times. He is concerned that a lot of well heads are below grade. The cap on a well has a breather on it. He is concerned since the well caps may be below grade, they are subject to contamination from pesticides, nicotine, fecal matter and more. Once an artesian well is contaminated, the entire water table gets contaminated. The water table stretches further than just the well head. It could be miles of contamination. Watt stated all well caps should be at least 12" above the ground. All of New Hampshire requires this. Hingham, Norwell, Scituate and Middleborough just enacted this regulation. He stated it protects the consumer, the environment and the equipment. The Health Agent asked how much it would cost to retrofit an existing well to meet this criterion. Watt stated around \$400-500. It just requires welding a piece of pipe to the top of the well. Watt thought Pembroke got its water from surface water. Mr. Thorne stated Pembroke's water is from wells. Mr. Fine asked how Pembroke ranked in well regulations vs. other towns Mr. Watt has worked in. Watt stated most towns supersede Pembroke in regulations. Watt stated that having the well head above ground will also help with repairs, especially for homes that use well water for their potable water (not connected to Town Water). Mr. Fine asked Mr. Watt if he was interested in helping if the Board decided to pursue this. Mr. Watt agreed to help. Mr. Fine requested a copy of Pembroke's current well regulations. Chair Newman thanked Mr. Watt for his time.

SCHEDULED APPOINTMENT – Nathan Popoloski and Robert Laine – 24 Forest St – Unlicensed Septic Install without pulling a permit

Mr. Popoloski and Mr. Laine appeared before the Board to for installing a septic system at 24 Forest St. Mr. Laine was not licensed to install septic systems in Pembroke. Mr. Popoloski was helping his girlfriend buy the house and he was coordinated the engineer (Shayne McGlone) and the Installer (Robert Laine) due to prior experience with them. He called Robert Laine in because the local workers were busy and the closing was coming up. Popoloski took responsibility for the lack of pulling the permit. He told McGlone he was going to use Laine for the install. McGlone asked if he was licensed in Pembroke. Popoloski thought since they had an approved permit, it was the same as a license. On June 25, 2018, the Board of Health had approved a Shayne McGlone plan with variances. He also told Laine everything was good to go. The Chair stated this problem has nothing to do with the property owner and was strictly the wrongdoing on the part of Popoloski and Laine. Mr. Fine asked Mr. Laine if he was familiar with the regulations in the Town of Pembroke. Laine stated he had never worked in the Town of Pembroke before. Fine asked what towns had he worked before. Laine stated: Plymouth, Carver, Kingston, Hanson, and a few others. Fine asked if those towns required licensing and permitting. Laine said yes. Fine said while it is nice for Popoloski to try to take the blame, Laine is an installer and is familiar with the steps necessary in many towns. Laine said it was his own fault. The Chair stated there would be fines. Fine stated the normal fines are double the costs not paid doing the work. The installer fee is \$125 (the fine is \$250), the testing fee is \$25 (the fine is \$50), the permit for the work is \$200 (the fine is \$400) for a total of \$1,050 including all applicable fees. Since the application fee of \$200 was paid by McGlone at submittal, the total amount due is \$850 and Laine has to take the installer test. Fine also added Laine could not work in the Town of Pembroke for six months. Chair Newman added the DPW states there is washout into the street in front of 24 Forest Street. They have cleaned it twice and if they have to clean it again, there will be a \$500 charge to the homeowner. The Board told Mr. Laine to leave a check in the amount of \$500 which will be held until the washout is cleaned up and the proper

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precautions are taken to prevent it from happening again. If the property is not cleaned up in 30 days, the check will be cashed and the DPW will clean the mess. Laine paid the fine, all fees due and the deposit. Laine passed the installer test. The Health Agent signed and released the Certificate of Compliance as all documentation had been submitted. The Agent read a motion for the Chair, Fine seconded it to clarify the fine amounts and the motion carried.

BOARD ACTION – Variance Request – Webby Engineering – 22 Pondview Avenue

This request was withdrawn by the homeowner and may appear at a future meeting.

BOARD ACTION – Variance Request – Webby Engineering – 62 Wampatuck Street

There was no discussion as the Board Members had received the materials prior to the meeting. Fine made a motion to accept the variance as written, the Chair seconded and all were in favor.

BOARD ACTION – Accept the Minutes of June 4, 2018

The Chair asked for a motion to accept the Minutes of June 4, 2018. Mr. Fine made a motion to accept the minutes as written. The Chair seconded and all were in favor.

OLD BUSINESS – Plastic Bag Ban Subcommittee Update

Mr. Fine updated the Board regarding the Plastic Bag Ban Subcommittee. At the last Board of Health meeting, there was a vote, 2-1, to form a Plastic Bag Ban Subcommittee. Fine said the Board of Selectmen are scheduled to vote tonight regarding an article in the Fall Town Meeting. Fine stated he had found two individuals who had expressed an interest in the Subcommittee. One is Mr. Rob Adams and the other is Mr. Gordon Martin. Fine stated at the last meeting, Mr. Sullivan and one of the supporters of the plastic ban expressed an interest in the Committee. Fine was holding two spots for them but they were not returning his calls. The purpose of the subcommittee is to get an Article in for the Spring Town Meeting.

HEALTH AGENT'S REPORT

Five Town Tobacco Collaborative – In February, the Town joined a collaborative with 4 surrounding towns and applied for a grant. The collaborative has received money. There have been two rounds of interviews for a director. The director would interact with youths and conduct checks on our tobacco retailers to ensure our regulations are being followed. The director would also work with retailers to educate them on our regulations and why compliance is important.

Fieldhouse – The site remains untouched. They have received final sign-off from the Planning Board. They are now in a twenty day appeal period.

Pembroke Hospital – The project is expected to start soon and equipment is being moved onto the property.

Columbia Road – Engineering plans have been submitted. Both fields are being replaced. The single field in use has been working fine.

Woodbine Avenue – The property owner has been working with Mr. McPhee. The estimate came in high. The owner is trying to decide if she should just replace the tank or would it be more economical in the long run to replace the entire system.

Birch Street – The mortgage company had informed the Agent the homeowners have walked away. The mortgage company asked for permission to enter the home to begin remediation. The Agent gave them permission and reminded them permits would need to be issued by the Building Department. Fine asked if any inspections would be required of the Health Agent. The Agent said one would be required after all the work had been completed and the company requested the condemnation order to be lifted.

Pond Testing – Pond testing has been going well. We had one very small exceedance down at Stetson Pond. We retested immediately and it passed with a count of 32. There is some algae in Furnace and Oldham.

Oldham will be treated Thursday. This is not the blue-green algae.

Office Activity – The Health Agent said the workload is steady.

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UPCOMING ISSUES

Streamlining of the Variance Approval Procedure

Mr. Thorne stated he has not had the chance to speak with the Health Agent to formulate a procedure.

Discuss Regulations to Protect the Ponds

Thorne said he would be happy to share the studies conducted on Oldham Pond and Furnace Pond which also offer suggestions to improve the ponds. After the studies were performed, it was determined the septic systems were not polluting the ponds. It was, in fact, surface run-off from streets and animal waste. We received a couple of grants and installed 36 new catch basins around the ponds to prevent runoff from the streets. We also passed a bylaw outlawing the feeding of the water fowl. We spend thousands each year to treat the ponds. We treat Oldham with alum and Furnace with copper sulfate. We use two different treatments because there is a protected species in Oldham called the Eastern Mussel. The Town budgets \$50,000 to \$100,000 every year to treat Hobomock Pond, Furnace Pond, Stetson Pond, Little Sandy Bottom and Oldham Pond.

Fine asked if the fertilizer on the lawns around the ponds contributed to the pond problems. Thorne said it is a culprit. There are fertilizers that are not harmful. Any naturalist will tell you the best scenario is to have natural vegetation right down to the water's edge to form a natural barrier but most people prefer a nice lawn.

Mr. Thorne left to attend the Selectmen's Meeting.

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

Fine thought it would be a good idea to address this issue and the Chair agreed. It will be a future topic of discussion.

The Chair stated the next Board of Health Meeting would be August 20th. He then asked Mr. Fine if he had anything else. Fine replied no.

Fine made a motion at 7:05 to adjourn and Chair Newman seconded. The motion carried.

Matthew Newman
Chair