

# BOARD OF HEALTH

TOWN HALL – 1 MAIN STREET – AYER, MASSACHUSETTS 01432 – (978) 772-8213

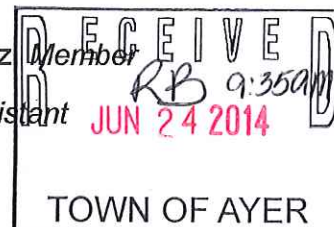


## Meeting Minutes June 9, 2014

Members Present: Pamela Papineau, *Chairman*; Mary Spinner, *Clerk*; Heather Hasz, *Member*

Others Present: Bridgette Braley, *Health Agent*; Debra Butcher, *Administrative Assistant*

Meeting Called to Order: P. Papineau called the meeting to order at 5:30 pm.



### 5:30 pm – PUBLIC HEARING – AQUIFER PROTECTION SPECIAL PERMIT

Applicant: Mark Adams & Jennifer Walker, 5 Third Street, Ayer, Massachusetts 01432

Address: 5 Fourth Street, Ayer, Massachusetts 01432

Present: Mark Adams, Jennifer Walker; Perry Goldstein, 28 Maple Street, Town Administrator Robert Pontbriand

P. Papineau opened the public hearing at 5:30 pm. M. Spinner read the public hearing notice into the record as published in the *Ayer Public Spirit* newspaper on May 23, 2014 & May 30, 2014. Mr. Adams presented the abutters' certified mail receipts for the record.

P. Papineau provided a brief summary on the request for a special permit. She also summarized a letter from DPW Superintendent Mark Wetzel received today concerning lawn area maintenance conditions that he wanted the Board to consider in the permit. She requested comments from other members of the Board. H. Hasz stated that she reviewed the permit submission informally at the last Board meeting and stated that her concern was with construction materials on site. She recommended that the Board condition the permit to have construction materials hauled off site or provide proper containment to avoid contamination. Ms. Walker informed the Board that there was a possibility that Habitat for Humanity may be interested in some of the construction materials from the property, i.e. shingles, drywall, insulation, light fixtures, etc. and it would be hauled off site. H. Hasz questioned whether there was any identified asbestos on the site. Ms. Walker stated "no". H. Hasz requested that there be protections in place where vehicles were not allowed to be parked on bare soil. M. Spinner stated that she conducted a drive by and had no issues with the application.

Abutter Perry Goldstein of 28 Maple Street stated that she was concerned with water pressure to her home as a result of construction of a new home. Mr. Adams stated that he spoke with Mr. Wetzel who assured him that water pressure would improve and described how the whole circuit would work. Discussion followed concerning the ability of the applicant to meet with the Zoning Board of Appeals in which Town Administrator Robert Pontbriand provided clarification that at this time, there was no quorum available to make decisions.

H. Hasz motioned to approve an Aquifer Protection Special Permit to Mark Adams & Jennifer Walker for 5 Fourth Street with the following conditions:

1. All lawn area maintenance conditions, as outlined in a letter dated June 6, 2014 from DPW Superintendent Mark Wetzel, must be adhered to.
2. Any hazardous materials, as defined in the Town of Ayer's Aquifer Protection District regulations, must be adequately stored or contained during the construction process to avoid contamination.
3. All construction vehicles accessing the property may not be allowed to be parked on bare soil and must not encroach on adjacent properties.

The motion was seconded by M. Spinner. *VOTE: 3-0 in favor.*

### 5:45 pm – Joan Hamlett, Director; Central Regional Alcohol and Tobacco Control Alliance

The Board listened to a presentation from Ms. Hamlett on what was currently happening with tobacco control. She provided the Board with handouts concerning retail sales of tobacco to minors; how compliance checks were being conducted and what merchants should be looking for. She also provided a report on the latest tobacco compliance check in Ayer conducted on February 12, 2014. She stated that Ayer was currently in

good standing, however, the only recommended improvement needed was with retail education. Ms. Hamlet requested that she meet with the Board in the Fall timeframe to review the Town's current regulations in place in order to update them on new products on the market such as dissolvable tobacco, Snus, and Blunts that the tobacco industry is using to target young people. The Board thanked her for providing them with an update.

6:00 pm – Animal Inspector Discussion: Present: Town Administrator Robert Pontbriand; Carlene Purdy; Robert Friedrich

H. Hasz requested to speak on this discussion as she attended a meeting recently with the Town Administrator, Police Chief, Carlene Purdy & Robert Friedrich in an attempt to reach an understanding over the appointment for Animal Inspector and their respective roles in town. She stated that she, as then Chairman of the Board of Health, authorized payment of \$1000 to the Board's Barn Inspector Carlene Purdy. She stated that Ms. Purdy received her reappointment of Inspector of Animals from the Massachusetts Division of Animal Health for the period of May 1, 2014 through April 30, 2015. However, she learned from the meeting that Mr. Friedrich also holds the same position and was appointed from the State for the same period. She stated that his appointment was sent in by the Police Chief. Mr. Pontbriand provided a memo dated June 9, 2014 which outlined the current situation and how to possibly resolve the situation to maintain (2) Animal Inspectors and support the funding for both individuals.

Discussion followed over the quality of work conducted by Carlene Purdy. The Board was very pleased with her overall performance as Barn Inspector and reported that Ms. Purdy provides the Board with a yearly report on the animal health of permit holders in town. P. Papineau questioned the duties of Mr. Friedrich in his role. She requested that Mr. Friedrich provide the Board with any annual reports he may have kept outlining his duties performed as Animal Inspector. She stated that the Board has never received anything from him. He stated that he responds to animal bite complaints, transports rabid animals to Boston and overall rabies control. M. Spinner said that Ms. Purdy provides excellent service to the town and stated that she reapplied for the position in March. She questioned why Mr. Friedrich had not applied. Mr. Friedrich presented his resignation to Mr. Pontbriand who instructed the Board to either vote to accept or deny his letter of resignation.

H. Hasz stated that she was disappointed to receive Mr. Friedrich's letter of resignation. She motioned to accept the resignation of Mr. Friedrich as Animal Inspector effective immediately, M. Spinner 2<sup>nd</sup>. *VOTE: 3-0 in favor.*

Discussion followed regarding the duties involving rabid animals and rabies control. The Board agreed that Ms. Purdy required training. Health Agent Bridgette Braley agreed to work in conjunction with Ms. Purdy for rabies control until a permanent resolution is made. M. Spinner recommended the possibility of increasing the stipend if Ms. Purdy has more responsibility and duties. Mr. Pontbriand assured the Board that he would be available to assist and facilitate a resolution. He requested that the State be formerly notified of Mr. Friedrich's resignation and his letter filed with the Town Clerk's office and a copy given to the Board of Selectmen.

Acceptance of Minutes: M. Spinner motioned to accept the minutes of May 19, 2014 as written, H. Hasz 2<sup>nd</sup>. *VOTE: 3-0 in favor.*

Nashoba Associated Boards of Health – Mail Review: The Board reviewed the mail packet and took no action.

Health Agent Property Complaint Update: Ms. Braley provided the Board with property updates on Sandy Pond Road, Bligh Street, Washington Street, Fletcher Street and Westford Road. She stated that there have been no recent complaints received on Vitasoy.

Fowl/Animal Permits – Approval/Signatures:

1. 22 Jonathan Drive – M. Spinner motioned to approve a *new* application for (7-14) chickens, H. Hasz 2<sup>nd</sup>. *VOTE: 3-0 in favor.*
2. 20 Shirley Street – The Board approved an application for a *modification* to add (6) chickens to their permit.



3. Groton Shirley Road – The Board approved an application for a *modification* to add (4) chickens to their permit.
4. 105 Park Street – The Board signed the renewal application for (2) horses.
5. 15 Douglas Drive – The Board signed the renewal application for (2) miniature horses.

121 Oak Ridge Drive: Ms. Butcher reported that the applicant is scheduled to meet with the Conservation Commission on June 12, 2014 concerning their application to add (2) goats to their permit. M. Spinner requested information on what “constitutes” a farm in Massachusetts. Ms. Butcher will contact the State to obtain the information.

Mail Review: The Board reviewed the mail packet and took no action.

Administrative Assistant Update:

Town Clerk – Postings: Ms. Butcher reported that the Town Clerk has implemented a procedure for Boards/Committees to submit their postings, i.e. minutes, agendas to the town website. Ms. Butcher stated that the Board of Health already follows this procedure and submits their postings to the website regularly and will continue to do so.

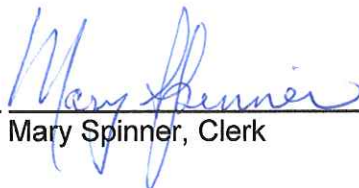
Transfer Station Issue: Ms. Butcher stated that she received a request from a Shirley resident asking permission to use the Transfer Station on her parents’ behalf. She stated that her parents reside in Ayer but no longer drive or have a working vehicle but have a valid Transfer Station sticker. After a brief discussion, the Board could not allow a non-resident to access the Transfer Station utilizing an out-of-town vehicle. Ms. Butcher will notify the individual of the Board’s decision.

Aquifer Protection District – Checklist: No discussion was taken.

Adjourn: M. Spinner motioned to adjourn at 7:50 pm, H. Hasz 2<sup>nd</sup>. VOTE: 3-0 in favor.

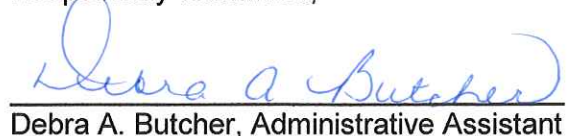
AYER BOARD OF HEALTH

  
Pamela Papineau, Chair

  
Mary Spinner, Clerk

  
Heather Hasz, Member

Respectfully Submitted,

  
Debra A. Butcher, Administrative Assistant