Town of Dartmouth Board of Health Minutes of the Meeting of 08 January 2014

RECEIVED

The meeting notice was duly posted.

1/31/14 @ 9:38am

This meeting was called to order at 7:00 p.m.

DARTMOUTH TOWN CLERK

Thomas W. Hardman, Leslie E.J. McKinley and Lynne Brodeur, were present. Wendy Henderson, Director of Public Health was also present.

The Minutes of the meeting of December 11, 2013 were accepted as corrected by Thomas W. Hardman, Leslie E.J. McKinley and Lynne Brodeur.

RE: State Road Cement Block (SRCB)/Plat 164, Lot 46, 656 State Road – Dust Complaint – 7/21/2010 – No new complaints have been received.

RE: Cecil Smith Landfill Capping and Closure/Plat 72, Lot 6 Old Fall River Road - 02/06/2013 - The Board was informed that a Superseding Order of Conditions from the Department of Environmental Protection was received by Conservation Commission.

RE: Mac's Junk Yard/Plat 137, Lot 161, 61 Milton Street – Solid Waste/Contaminated Soil – Wendy Henderson, Director of Public Health informed the Board the letter that was voted has been sent. Mr. Hardman asked what the high content was. Ms. Henderson stated lead, likely from gasoline. No further discussion at this time.

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RE: Assistant Animal Control Officer Discussion – Wendy W. Henderson, Director of Public Health wanted further discussion with the Board before we sent out the draft letter. Ms. Henderson commented we need more funding for an Assistant Animal Control Officer and additional hours. Ms. Henderson had requested information on the number of calls from the Police Department in regards to animal call outs, and the information they sent was not useful to determine the number of emergency callouts.

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Mr. Hardman entertained a motion to close the public hearing with Lynne Brodeur motioning and Leslie E.J. McKinley seconding, the motion.

The Board discussed the aforementioned and with Lynne Brodeur motioning to adopt the Dartmouth Motel & Guest Cabins Regulations to go into effect January 1, 2015. This will allow the facilities one year to modify a room or rooms to accommodate extended stay clients if they wish and Leslie E. J. McKinley seconding, the Board of Health voted unanimously to approve the aforementioned.

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Wendy J Heiger-Bernays, PhD addressed the Board by giving them a formal introduction of herself and her credentials. Ms. Heigher-Bernays gave several examples of how and why Nuisance Trades are appealed. Ms. Heigher-Bernays wanted to get a sense from the Board of what they were looking for from her and she could provide the Board with some resources. Mr. Hardman asked Ms. Heigher-Bernays if she would be willing to give the Board a proposal. Attorney Savastano expressed he has been given some leeway and there is some funding available. Mr. Hardman stated the Board needs to be given information on the Comm 97 soils and what they are, and the related health concerns.

Lynne Brodeur asked Dr. Heigher-Bernays if other towns had enacted such regulations and how have they managed. Dr. Heigher-Bernays explained there have been other towns adopting nuisance or noisome trade regulations, but not specific to Comm 97 soils. Mr. Hardman stated his concern is the lack of monitoring, and questioned why should the Board get involved in the first place.

Wendy Henderson, Director of Public Health asked Dr. Heigher-Bernays if there would be potential conflict because of Dr. Heigher-Bernays involvement with DEP's waste site cleanup committee, and other communities. Dr. Heigher-Bernays didn't believe there would be any issue because she sits on an independent panel in regards to her work with 21E which are semi-privatized. Dr. Heigher-Bernays was wondering if the Board is looking to have assistance with their specific concerns. Attorney Savastano would like to have someone who will advise in a neutral capacity and doesn't want the Board persuaded in anyway. Furthermore, the focus of the Board of Health right now should be a specific regulation on the use and import of Comm 97 soil, and later the Board could take up amending the regulation for other purposes.

Thomas W Hardman mentioned Brian Cruise had raised a good issue to possibly craft a regulation will simply not accept in the Town of Dartmouth Com 97 soil except in a lined landfill. Ms. Henderson commented on Crapo Landfill. Attorney Savastano would like to know who brings in the material the landfill or private contractors. Discussion ensued on this matter and the Board would like to know who and how much material is being brought to Crapo Landfill. Lynne Brodeur commented we want to eliminate the health hazards including noise. Ms. Brodeur asked what the cost would be if they didn't use the Comm 97 soil. Attorney Savastano noted whether it's lined or unlined there needs to be science to back it up any proposed regulation. Ms. Brodeur would like to see data on the truck dust.

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<u>RE</u>: <u>Septic Plans</u> – The following septic plan was reviewed by Health and Sanitary Christopher Michaud and approved by the Board Health.

Paul Soloman/Plat 60, Lot 1-42, 23 Melissa Lynn Dr. – repair - The Board discussed the aforementioned septic plans and pursuant to the provisions of 310 CMR 15.000, Title 5, with Lynne Brodeur motioning to approve with 2" reduction variation in groundwater separation and Leslie E. J. McKinley seconding, the Board of Health voted unanimously to approve the aforementioned.

RE: Complaint Log -October 2 to December 20, 2013 - The Board perused a copy of the complaint log for the aforementioned dates. No action required.

<u>RE: Animal Permit Application Amendment</u> – The following amendment application for an Animal Permit was received. Abutters were notified.

Meghan Hamilten-Yallen/Plat 70, Lot 5 & 6, 46 Albro Avenue – Amendment for 15 Horses (14 Horses and 1 Pony) – The Board perused the Animal Permit Amendment Application from 6 horses & 2 Ponies to 15 Horses (14 Horses and 1 Pony).

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- RE: Copicut Farms Poultry Processing Facility Plans- Wendy Henderson, Director of Public Health informed the Board that Vincent Frary from Copicut Farms wanted to be present but was unable to attend this meeting. Ms. Henderson stated Mr. Frary would like to increase his operation from 2,500 birds to 20,000 birds. Mr. Hardman commented he thought there were plumbing issues. Ms. Henderson explained there is a new plumbing inspector. Also, back flow preventers are critical with connection to the Industrial Waste Water Holding Tank. Mr. Hardman concerned with whether the amount of water usage for this facility could be considered a public water supply. Ms. Henderson stated water testing is being done but would check into Mr. Hardman's concern with Department of Environmental Protection.
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<u>RE:</u> <u>Janice Young – Inspector's Report</u> – The Board perused the Inspector's Report from December 20 to December 30, 2013. Ms. Young has been inspecting food service establishments during this time.

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RE: Board of Health meeting schedule 2014- The Board discussed meeting dates and times for the next few months. They are as follows: January 29th at 4PM, February 12th and 26th and March 12th and 26th at 7PM. The Board will look at additional dates and times when the time comes.

RE: Discussion of any item not known 48 hours in advance - None

RE: Board Signatures - The Board signed the three personnel sheets

At 8:50 p.m. Thomas W. Hardman, Chair entertained a motion to close the regular Board of Health Meeting. Roll call vote –Thomas Hardman - yes, Leslie E.J. McKinley – yes, Lynne Brodeur – yes.

With no further business to discuss, the Chair adjourned the meeting at 8:55 p.m.

Respectfully submitted,

Donna Farias

Administrative Clerk

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At 8:50 p.m. Thomas W. Hardman, Chair entertained a motion to close the regular Board of Health Meeting. Roll call vote –Thomas Hardman - yes, Leslie E.J. McKinley – yes, Lynne Brodeur – yes.

With no further business to discuss, the Chair adjourned the meeting at 8:55 p.m.

Respectfully submitted,

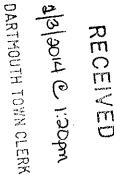
Donna Farias Administrative Clerk

7:00 P.M. COMMENCE MEETING

Minutes of the Meeting of December 11, 2013

Old Business:

- A. State Road Cement Block/Plat 164, Lot 46, #656 State Road Dust Complaint 7/21/2010
- B. Cecil Smith Landfill Capping and Closure Plat 72, Lot 6 Old Fall River Road -02/06/2013
- C. Mac's Junk Yard/61 Milton Street Solid Waste/Contaminated Soil
- D. Rome Packing Garbage Hauler Permit Application 12/11/2013
- E. School Nurses Concerns Relative to Public Health 06/20/2013
- F. Assistant Animal Control Officer Discussion 12/11/2013
- G. Private Cemetery site approval -12/11/2013
- H. Brandon Woods Bullard Center proposal



New Business:

A. Septic Plans

Paul Soloman/Plat 60, Lot 1-42, 23 Melissa Lynn Dr. - repair

B. Complaint:

Complaint Log 12/02/13-12/31/13

C. Animal Permit Application Amendment

Meghan Hamilten-Yallen/Plat 70, Lot 5&6, 46 Albro Avenue – Amendment for 14 horses and 1 Pony

- D. Town of Dartmouth Local Government Efficiency audit dated November 2013
- E. Copicut Farms Poultry Processing Facility Plans
- F. Department of Environmental Protection Notice of Noncompliance: NON-SE-13-4013/564 Fisher Road
- G. Stephaney Santiago-Burial Agent
- H. Notice of mailing to North Dartmouth Homeowners from American Water Resources email
- I. Borrelia Miyamotoi added to the laboratory reportable disease list
- J. "Dartmouth Health Board weighs in on dirty soil to Smith Landfill" Article Standard Times
- K. CDC Health Advisory Notice to Clinicians: Early Reports of pH1N1- Associated Illnesses for the 2013-2014 Influenza Season
- L. "Towns taking it upon themselves to raise age for tobacco sales"-Article Standard Times
- M. Community Nurse & Hospice Care/Public Health Statistics November 2013
- N. Fee Schedule 11/6/2013
- O. Janice Young Inspectors Report
- P. Wendy Henderson Director Report
- Q. Board of Health meeting schedule for 2014
- R. Discussion for Any Item Not Known 48 Hours in Advance
- S. Board Signatures

Appointments:

7:00 p.m. Adelino Cordeiro/Plat 138, Lot 182 Gorham Street - Animal Complaint - 10/4/13

7:10 p.m. Dartmouth Board of Health Guest Establishment Regulation - Continued Public

Hearing

7:20 p.m. Anthony Savastano - Nuisance Trade - Subject to MGL, Chapter 111, Section 143 -

12/11/2013

