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DARTMOUTH TOWN CLERK



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DARTMOUTH BOARD OF HEALTH
DARTMOUTH TOWN HALL- ROOM 315 - 7:02 P.M.
MEETING MINUTES - Wednesday, September 03, 2014

The meeting notice was duly posted. The Board of Health meeting was called to order at 7:02 p.m. on September 03, 2014 in room 315.

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

Ms. McKinley opened the meeting by expressing the Board's appreciation for Ms. Henderson's years of service to the Town, and they will miss her. On lighter note, Ms. McKinley welcomed the new Director of Public Health, Christopher Michaud.

The minutes of the meeting of August 4 and 25, 2014 were approved as amended by Leslie McKinley, chair, Lynne Brodeur, and Thomas W Hardman.

The minutes of the meeting of August 6, 2014, were approved as amended by Leslie McKinley and Thomas W Hardman. Lynne Brodeur abstained from approving the meeting minutes of August 6, 2014, since she was not in attendance for this meeting.

7:22 PM Elizabeth Cabral-Townson, Director of Special Education Coordinator and Terry Larson and Jillian Corbean, Brandon Woods of Dartmouth - Terry Larson and Jillian Corbean, RN introduced themselves, and gave a brief description of the services they will be providing for the Town. Elizabeth Cabral-Townson was unavailable. Mr. Michaud stated a press release had been submitted to the paper with Brandon Woods of Dartmouth's contact information, and explaining Brandon Woods of Dartmouth will now be providing Public Health nursing services for the Town of Dartmouth.

- The Board welcomed Ms. Larson and Ms. Corbean and offered their help and support in anyway. No further action required at this time.

7:25 PM Alysha Hickley and Ryan Vidinha - Proposal to Bring Professional Body Piercing to Dartmouth- Alysha Hickley, Ryan Vidinha, and Ryan Clark from Famous Tattoos were present. Mr. Clark gave the Board an overview from the last meeting of what they are proposing. According to Mr. Clark, their concerns revolve around safety, and money being spent outside of Dartmouth on body art and piercing. A lengthy discussion ensued about the body piercing, process hygiene, demand, and education/technique. Derek Christianson from Seth Davis Way addressed the Board of Health as a resident asking for the Board to listen to both sides of the matter. Mr. Christianson's brother is also a tattoo and piercing artist.

- It was an unanimous decision of the Board that at this time they didn't feel comfortable with piercing below the waist. Ms. McKinley suggested that Famous Tattoos submit an application to practice piercing as provide for in the Dartmouth Rules and Regulations for Body Art Establishments and Practitioners. It was expressed by the Board members it may be awhile before the Board would entertain amending the regulations. Ms. Brodeur's expressed she is not comfortable with piercing below the waist which is not medically



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necessary. The Board would like Famous Tattoos to provide for the Board with any peer review articles, as well as, information on single use needles for piercing of the ear lobe. The Board would like an official opinion from Dr. Gail Davidson on the regulations, and why they were written the way they were. Ms. McKinley asked the clerk once the information from Famous Tattoos has been received to forward this to the Board members and to Dr. Davidson for her opinion. It was also suggested that Dr. Davidson could contact Ms. McKinley with any questions.

7:50 PM Attorney Richard E Kuhn, III, Esq representing Mary Mehri/Plat 1, Lot 5, 1176 Horseneck Road- David Brownell, secretary of the Agricultural Commission and member of the Conflict Resolution Group gave the Board of Health an overview of their findings. Mary Mehri and her Attorney Richard Kuhn were present. Susan Murray from the Conflict Resolution Group had been to Ms. Mehri's property, and suggested a number of fencing options to Ms. Mehri. A lengthy discussion ensued about fencing cost, types of fencing, placement of fencing, what to do in winter months, and egress and driveway ingress. Attorney Kuhn asked the Board if they could reconvene in a month, and at that time they would come back with a plan. Mr. Michaud asked if in the winter months the chickens needed full range of the property, and if the property could be sectioned off. Ms. Mehri prefers the chickens going out into the crop land. Ms. McKinley reiterated that it's entirely up to Ms. Mehri were she keeps the chickens, but the chickens need to be contained on her property.

- Lynne Brodeur motioned and Thomas Hardman seconding to give Ms. Mehri until Wednesday, October 1, 2014, to come back to the Board with a solution to enclose her chickens thereby keeping them on her property at all times. The Board would like to see this implemented before the winter.

8:10 PM Brian Cruise, Assistant Town Counsel - Draft Supplemental Title 5 Regulations- A lengthy discussion ensued about shared systems, new construction variances and issuing variances. Assistant Town Counsel Brian Cruise explained the local regulations are an extension of the State's Title 5 regulations. After Assistant Town Counsel Brian Cruise spoke with Mr. Michaud, his thoughts were to keep it simple. Assistant Town Counsel Brian Cruise suggested one sentence to make it clear to the residents with respect to the local regulations that application for any variance can be made in accordance with the provision of 310CMR 15.410. The Board liked Assistant Town Counsel Cruise's suggestion.

- Assistant Town Counsel Brian Cruise will redraft the Supplemental Title 5 Regulations, and bring them back to the Board of Health meeting.

Land Use/Development Services function & Select Board invitation for August 25, 2014 and Select Board response letter dated August 20, 2014 to Planning Board- Mr. Michaud pointed out that the Select Board had stressed three points: customer service, efficiency, and long term financial planning. Mr. Michaud had prepared some thoughts on the matter which he will forward to the Board members. Mr. Hardman would like to have another attempt at drafting a letter to the Select Board. Ms. Brodeur has concerns with confidentiality, and Ms. McKinley would like to see a feasibility committee.



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- Mr. Michaud will forward notes and comments to Mr. Hardman, and he will work on another draft letter to the Select Board to be brought back to the next meeting.

Cecil Smith Landfill update - Plat 72, Lot 6 Old Fall River Road-Prelim. CAD comments/DEP Letter dated August 14, 2014: Final Approval with Conditions Application for: BWP SW 12 Initial Site Assessment/Comprehensive Site Assessment Scope of Work-

Mr. Michaud commented that CAD comments will be handled by Town Counsel.

- No action taken by the Board of Health at this time.

COMM 97 materials enforcement/61 Milton Street/Wendy Heiger-Bernays update- Mr. Michaud commented that the Milton Street project is stagnant at this time. He has received a report from the LSP indicating no time frame for remediation due to local regulation.

Mr. Michaud has spoken with Dr. Heiger-Bernays who is looking for some guidance from the June 18, 2014, letter sent to her. Mr. Michaud would suggest having a conference call with Dr. Heiger-Bernays, a board member and himself. Ms. Brodeur suggested with Dr. Heiger-Bernays knowledge, she could create a spreadsheet with the order in which to tackle these materials.

Ms. McKinley asked Mr. Michaud if he has heard if the lawsuit has been moved. Mr. Michaud has had no discussion with Town Counsel about this.

- No further action required by the Board of Health at this time.

Expanded Well Testing Requirements-Mr. Michaud explained he has had an opportunity to revisit the well testing requirements of compounds the Board of Health is testing to see if it is applicable to landfill leachate. A lengthy discussion ensued on the procedure of taking water samples for VOC and SVOC and the percentage of wells drilled that are overburden. Mr. Hardman suggested that maybe large subdivisions could drill monitoring wells. Ms. Brodeur interjected that it's not mandatory, but it could be suggested they drill monitoring wells. Ms. McKinley asked if the Well Regulations should be looked at. Mr. Michaud agreed, but at this time the expanded well testing requirement document can be used as a policy.

- With Thomas W Hardman motioning and Lynne Brodeur seconding to use the expanded well testing requirement document as a policy.

Police Station - update- Mr. Michaud handed the Board some temporary alternative location for the Police Station.

- No further comments or action required at this time by the Board of Health.



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Administrative issue regarding orders (signatures)-Mr. Michaud explained Ms. Henderson had asked for Town Counsel's opinion on signing orders, and it is Town Counsel's opinion orders should not be signed by the Board of Health members. The orders should be signed by the agent, or the Director of Public Health. Discussion on how the Board members will be notified ensued.

- After a brief discussion, the agent or Director will sign orders and they will be emailed to the Board as required.

Susana Gouveia/Plat 64, Lot 10, 1346 Old Fall River Road - update- Dartmouth Animal Control has conducted a re-inspection of the site and Ms. Gouveia is in full compliance.

- No further action required at this time by the Board of Health.

Kevin Galego/Plat 163, Lot 8 on 492 Reed Road- update- Sandra Gosselin, Dartmouth Animal Control officer has been to the site, and Mr. Galego is in compliance with his animal permit. The Administrative Clerk informed the Board a complaint had recently been received of a manure pile that is not 100 feet from the property line, and there is a goat on the premises. Sandra Gosselin, Dartmouth Animal Control Officer went back to the site, and informed Mr. Galego the manure pile will need to be moved away from the property line, and placed in containers. The goat was not on Mr. Galego's property but next door. Ms. Gosselin visited the neighbor, but no one was home. A letter has been sent to the abutter, that a permit is needed for the goat. Ms. Gosselin will revisit Mr. Galego, and report back about the manure pile.

- No further action required by the Board of Health at this time.

Former Bridge Street Café- DEP letter Stipulated Penalty Demand Notice-

- This was just was for informational purposes only, and no action required by the Board of Health at this time.

Administrative Clerk and Health and Sanitary Inspector positions- Mr. Michaud commented the finalist for the Administrative Clerk position completed a skills assessment test. Ms. Brodeur instructed Mr. Michaud to make an offer. Mr. Michaud informed the Board that he may be hearing from the chair of the Zoning Board of Appeals asking for the clerk to stay on until a new clerk is trained.

- It was the determination of the Board to make an offer and have the current clerk finish with her current workload, and then start her new position at the Board of Health.

Mr. Michaud explained the job posting for the Health and Sanitary Inspector position had been posted internally and will be placed in the local paper. The Board members would like to receive a copy of the Health Inspector job description forwarded to them.

- No further action required by the Board of Health at this time.



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Drug Free South Coast- Mr. Michaud had a meeting with Brenda Weiss from New Bedford who is looking to partner with Dartmouth on a Drug Free South Coast grant. Mr. Michaud had attended a meeting recently, and Fire District 3 was the only party interested in being involved with using of Narcan.

- Thomas W Hardman motioned and Lynne Brodeur seconded to have Mr. Michaud sign the Drug Free South Coast grant. It was an unanimous decision to sign onto this Drug Free South Coast grant.

Stetson Trust- The Board briefly discussed the use of the Stetson Trust funds, further billing by the Community Nurses, and the possibility of having Town Counsel looking into how the funds will be dispersed from now on.

- No further action required by the Board of Health at this time.

MHOA 47th Annual Educational Conference- The Board perused the conference scheduled. Mr. Michaud will not be able to attend this year's conference because of staffing issues. Ms. Brodeur stated she may be interested in attending one of the conference days. The Board thought a copy of the MHOA schedule should be forwarded to the Public Health nurse Jillian Corbean, RN from Brandon Woods of Dartmouth.

- No further action required by the Board of Health at this time.

Louise Hawkins/Plat 118, Lot 56, 34 Rockland Street - animals- The Board reviewed the email by Ms. Hawkins regarding having a permit for 6 chickens. She currently has two ducks. Ms. Hawkins is looking to amend her permit, so she will be able to have the 4 chickens and the 2 ducks.

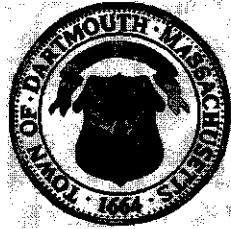
- With Thomas W Hardman motioning and Lynne Brodeur seconding to amend Ms. Hawkins permit to read 6 small fowl and no roosters and no large fowl. It was an unanimous decision to amend Ms. Hawkins permit.

Department of Public Health (DPH) memorandum regarding Bats and Rabies- The Board scanned the memorandum by DPH on how to handle calls by residents regarding encountering bats.

- No action required by the Board of Health at this time.

Complaint log from 08/01/2014 - 08/29/2014- The Board perused the recent complaints for the month of August.

- No action required by the Board of Health at this time.



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Septic Plans

- Vermette Development/Plat 29, Lot 59-13, Highbridge Lane
 - Hendon Pigeon/Plat 7, Lot 11, 169 Mishaum Point Road
 - P Murray & J MacLaughlin/Plat 23, Lot 59-4, Horseneck Road
 - Paula Gauthier/Plat 33, Lot 6, 131 Woodcock Road
- No action required by the Board of Health on the above aforementioned septic plans.

Septic Plan(s) requiring action of the Board of Health

- Ronald DeMoranville/Plat 73, Lot 5, 760 Faunce Corner Road - Deed Restriction
- With Thomas W Hardman motioning and Lynne Brodeur seconded the motion to approve 760 Faunce Corner Road septic plan by using sieve analysis and requiring a deed restriction.

Beach Testing Results- The Board perused the last beach testing results for the season. It was noted that Round Hill Beach had elevated results for the second week, but not enough to close the beach.

Discussion for any item not know 48 hours in advance-

Ms. Farias, Administrative Clerk asked the Board to vote to allow the new Director of Public Health, Christopher Michaud to endorse office documents as Ms. Henderson was permitted to do.

- Ms. McKinley, chair entertained a motion to permit Mr. Michaud, Director of Public Health to sign office documents as Ms. Henderson had done. With Thomas W Hardman motioning and Lynne Brodeur seconding to allow Mr. Michaud to endorse office documents.

At 9:25 p.m. Leslie E.J. McKinley, Chair entertained a motion to close the regular Board of Health Meeting. Roll call vote - Lynne Brodeur - yes, Thomas W. Hardman - yes, Leslie E.J. McKinley - yes.

Respectfully submitted,

Donna Farias
Administrative Clerk