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DARTMOUTH TOWN CLERK



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DARTMOUTH BOARD OF HEALTH
DARTMOUTH TOWN HALL- ROOM 315 - 7 P.M.
MEETING MINUTES - Wednesday, November 05, 2014

The meeting notice was duly posted. The Board of Health meeting was called to order at 7:00 PM on November 05, 2014 in room 315.

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

The minutes of the meeting of October 15, 2014 were approved as amended by Leslie E.J. McKinley, chair, and Thomas W. Hardman.

7:10 PM Jayesh Patel, Owner/Town Liquors/Tobacco Suspension Hearing- At 7:10 PM, Mr. Patel and his counsel weren't present to represent Town Liquors for his tobacco suspension hearing. The Board tabled the matter until later in the evening, to give Mr. Patel and his counsel the opportunity to be present to represent Town Liquors. At 8:30 PM the Board expressed their disappointment in Mr. Patel not showing up because at the Board of Health meeting of October 15, 2014, Mr. Patel requested this matter be continued until November 5, 2014, so he could be represented by counsel. The Board reviewed and discussed the Tobacco Control inspector's report.

- With Thomas W. Hardman motioning and seconded by Leslie E.J. McKinley the Board of Health agrees that sales of tobacco products to someone under the age of 18 did occur on two separate occasions within 24 months and, in keeping with the provisions of Section VI of the Town of Dartmouth Board of Health Tobacco Control Regulations affecting "Youth Access to Tobacco Products", the Tobacco Sales Permit for Town Liquors, *shall be suspended for a period of seven (7) consecutive calendar days.* The suspension shall begin on Monday, November 17, 2014 at 9:00 a.m. and conclude on Monday, November 24, 2014 at 9:00 a.m. It was a unanimous decision of the Board members present.

7:20PM Tony Boukheir/Bliss Express/ Tobacco Suspension Hearing - Tony Boukheir, owner and Brian Chase, employee of Bliss Express were present. Mr. Boukheir commented that there was no excuse for the violation, and apologized. Mr. Chase was the employee who had sold the tobacco product to the minor. Mr. Chase was extremely apologetic, and didn't want this to reflect badly on Bliss Express for his mistake. The Board voiced their appreciation for Mr. Boukheir and Mr. Chase coming before the Board, and discussing this issue. Mr. Michaud informed Mr. Boukheir there will be some tobacco training available at the beginning of next year, and asked if he would be interested. Mr. Boukheir expressed his interest in the training.



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Wendy Heigher-Bernays- Mr. Michaud advised the Board that he has made several attempts to contact Dr. Heigher-Bernays and has been unsuccessful.

- Leslie E.J. McKinley motioned seconded by Thomas W. Hardman to have Mr. Michaud do some research on soils he feels comfortable reviewing. The Board will look for the expertise of someone else to review the more complex materials. It was a unanimous decision of the Board members present.

Flu clinic - verbal update- Mr. Michaud informed the Board that there were approximately 30 people vaccinated the Rite Aid clinic during Town Meeting, approximately 80 people vaccinated at the Council on Aging clinic and 55 people vaccinated at the Town Hall Clinic. Mr. Michaud will be attending a SEPAC meeting were they will be having another flu clinic at the Quinn Elementary School by pre-registration to target the youth.

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

Mary Mehri/Plat 1, Lot 5, 1176 Horseneck Road- Mr. Michaud informed the Board that Animal Control had visited the site and the fencing has not been installed. The Board of Health had voted at their meeting of October 1, 2014, that Ms. Mehri would need to erect the fence by November 1, 2014. Mr. Michaud will contact the contractor who was hired to install the fence to see why the fence has not been installed, as well as contact Attorney Kuhn. Mr. Michaud will report his finding to the Board at their next scheduled meeting.

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

Stetson Trust/regarding uses of portion of trust - Mr. Michaud informed the Board he and Lynne Brodeur had met with Jane Stankiewicz, CEO of the Fairhaven Community Nurses,



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Attorney Susan Weiner, and David Cressman, Town Administrator about the Stetson Trust. Ms. Stankiewicz will be meeting with her Board to discuss options for the limited use of the proceeds from the Trust. Mr. Michaud explained that he was to bring it to the Board of Health to also get some ideas on the uses. One suggestion was to use it for shingles vaccinations.

- It was decided to table the discussion to November 19, 2014, since Ms. Brodeur was absent from this meeting.

Personnel vacancies - Assistant Part-time Animal Control Officer and Health and Sanitary Inspector positions-Mr. Michaud advised the Board that Courtney Cohen will start once her pre-employment screening is completed. The goal is to have Ms. Cohen start on November 10, 2014. Mr. Michaud briefed the Board that the Animal Control benefits are still an issue and the Town Administrator may demand a re-opener to the contract for the part-time Assistant Animal Control Officer.

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

Septic System Plans

Septic System Plans - requiring no action of the Board

- Aspen Properties/Plat 66, Lot 13 & 14, subplot 1, Hixville Road
- Jeffrey Toothacre/Plat 23, Lot 27, 238 Gaffney Road
- Vermette Development/Plat 25, Lot 1-4, Ledgemont Lane
- CMS Realty/Plat 64, Lot 26, 647 Highland Ave
- Albert Lucardi/Plat 66, Lot 13 & 14, Hixville Road

Septic System Plans - requiring action of the Board

- Craig Moreira/Plat 33, Lot 55, 25 Pembroke Drive
- Thomas W. Hardman motioned and seconded by Leslie E.J. McKinley to approve the septic system plan with a three foot separation to groundwater with six feet separation required in accordance with supplemental regulations, and to require a deed restriction limiting the home to three bedrooms. It was a unanimous decision of the Board members present.



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- Marc & Nancy Dodson/Plat 101, 16, 726 Smith Neck Road

- Thomas W. Hardman motioned and seconded by Leslie E.J. McKinley to approve the septic system plan with a three foot separation to groundwater, with four feet separation required, and to require a deed restriction limiting the home to three bedrooms. It was a unanimous decision of the Board members present.

Manuel Goncalves/Plat 156, Lot 7, 11 Sharon Avenue- The Board perused Mr. Goncalves application to amend his animal permit to include two baby calves.

- Thomas W. Hardman motioned and seconded by Leslie E.J. McKinley to table this until November 19, 2014, because Thomas W. Hardman would like to do a site visit before a decision has been rendered. It was a unanimous decision of the Board members present.

Complaint log from 10/10/2014 - 10/30/2014 & Striper Circle - animal complaint- Complaints were perused by Board.

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

DEP Soils Reclamations meeting - Mr. Michaud informed the Board he had been to meetings in Boston about MA DEP directive to create new regulations dealing with Reclamation Soil. Mr. Michaud will be attending another meeting this Friday, November 07, 2014.

- No action required by the Board at this time.

SRPEDD Aquifer Study joint meeting- For informational purposes only.

- No action required by the Board at this time.

Director's report- Mr. Michaud mentioned to the Board that the inspector's reports will now be incorporated in his Director's report. The Board discussed the following items on the Director's report:

- fees
- Refuse District
- Fisher Road odors
- Run Away Farm piggery permit
- Ebola
- Peking Garden



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- Land Use/Development Services
- New Septic System Installers

Mr. Michaud brought to the Board's attention that there have been some inquiries for new food/retail establishments that would like to open in the month of November. Mr. Michaud asked if the Board would consider a policy to allow the Director to reduce the fee for permits when an establishment is opening in the month of November.

- Thomas W. Hardman motioned and seconded by Leslie E.J. McKinley to allow the Director of Public Health discretion prorating fees in November for food service establishments. It was a unanimous decision of the Board members present.

Board of Health meeting schedule- The Board briefly discussed the upcoming meeting schedule. Ms. McKinley asked if it would be okay for the Board to keep the schedule as is until the first of the year. The Board will take this issue up at the next meeting.

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

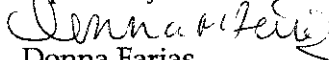
Discussion for any item not know 48 hours in advance-

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

Board Signatures - Leslie E.J. McKinley, chair signed three Employee Absentee Reports for Mr. Michaud. The Board signed the Community Nurse & Hospice Care Stetson Trust quarterly bill, and Nicholas Charest, Tobacco Control Agent bill for September through October 2014, tobacco control compliance inspections for the Town of Dartmouth.

At 8:54 p.m. Leslie E.J. McKinley, Chair entertained a motion to close the regular Board of Health Meeting. Roll call vote - Thomas W. Hardman - yes; Leslie E.J. McKinley-yes.

Respectfully submitted,


Donna Farias

Administrative Clerk