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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, February 04, 2015

The Chair polled the Board at 6:45 P.M. for a roll call vote to convene into Executive Session to approve the Executive Session minutes in regards to the suspension of the tobacco permit for Town Liquors by the Dartmouth Board of Health, and Anthony Savastano - Town Counsel - BEC vs Dartmouth Board of Health and Town of Dartmouth - Cecil Smith Landfill - Plat 72, Lot 6, Old Fall River Road: Chair Leslie E.J. McKinley, yes; Lynne Brodeur, yes; Thomas W. Hardman, yes.

At 7:00 P.M. Leslie E.J. McKinley, Chair entertained a motion to close Executive Session and go into the regular Board of Health Meeting by roll call vote -Thomas W. Hardman - yes, Lynne Brodeur - yes, Leslie E.J. McKinley-yes.

The meeting notice was duly posted. The Board of Health meeting was called to order at 7:01 P.M. on February 4, 2015 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.

The minutes of the meeting of January 14, 2015 were approved as amended by Leslie E.J. McKinley, chair, Lynne Brodeur and Thomas W. Hardman.

7:10 P.M. Adrain Fulk/Runaway Farms - Piggery permit application - Christopher Michaud informed the Board that he and Sandra Gosselin, Animal Control Officer had conducted a site visit. Mr. Michaud mentioned it may not have been the best time to do a site visit due to the inclement weather, but Mr. Michaud does have some concerns. Mr. Michaud witnessed broken feed troughs, so Mr. Faulk from Runaway Farm is broadcast feeding (placing the feed onto the ground and not in troughs). Broadcast feeding animals can cause odors from the food being left on the ground once the weather warms up.

Mr. Fulk commented that he prefers not to feed the animals this way either, but the weather conditions have broken the feed troughs. Mr. Fulk is in the process of repairing the troughs. Discussion ensued on the number of pigs Mr. Fulk has on the property at this time.

The Natural Resource Conservation Services (NRCS) farm plan has been received by the Board of Health, and briefly discussed. It was agreed that it was a good plan, as long as, it is implemented and followed.

Mr. Fulk has received grants from NRCS for upgrades to the farm. Ms. Brodeur expressed getting the area under control should be a priority before getting more animals. The Board contemplated what to do because Mr. Fulk's application was for 20 swine and 40 piglets, and the applicant currently has more swine than what was requested.

Abutters to the site Jeanne Paquette 748 Old Fall River Road and Donald Pepin 699 Faunce Corner Road addressed the Board in regards to potential odors and recourse. The abutters also asked if this permit was for the other farm animals. The Board explained this permit is only for the swine. The applicant has more than five acres of land so under the Board of



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Health Animal Regulations Runaway Farm doesn't need a permit. The Board informed the residents if there are odor issues they should contact the Board of Health.

Mr. Hardman suggested that Runaway Farms withdraw their current application without prejudice, and reapply for the correct number of swine. Mr. Hardman proposed waiving the application fee but the owners would be responsible for the abutter notification and the legal notice.

➤ ***Thomas W. Hardman motioned to allow the applicant Adrian Fulk, from Runaway Farm, to withdraw their current application without prejudice. Mr. Hardman motioned to waive the piggery application fee, but Mr. Fulk will need to pay the advertisement, and abutter notification, seconded by Lynne Brodeur, and motion made unanimous by Leslie E.J. McKinley.***

Implementation of Dartmouth Board of Health Inn and Innholder Regulations - The regulation had been approved at the last meeting, and needed to be advertised prior to implementation. As of January 28, 2015, the Inn and Innholder Regulation was published in the "The Chronicle". Signatures of the Board are now required, and the clerk will file the regulations with the Town Clerk.

➤ ***The Inn and Innholder Regulations were circulated around to the Board members for signatures.***

Development Services function & Select Board - verbal update - Ms. McKinley asked the other members of the Board if they had seen the Planning Board's letter. Both Board members had seen the letter, but no comment at this time. Mr. Michaud informed the Board that he was asked to attend the Monday night Select Board meeting to address the relocation plan. Mr. Michaud stated that he expressed to the Select Board that the committee was only tasked to create the plan and not to take a position on the project.

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

Flu clinic - verbal update - Mr. Michaud expressed that there is no interest in the flu vaccine. There was a conference call that reiterated boards of health and medical facilities should continue to promote receiving the vaccine. Mr. Michaud informed the Board that we still have approximately fifty doses of vaccine available.

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

61 Milton Street - Mr. Michaud had put together a letter and later found out that the Bourne Landfill is no longer accepting contaminated soils on a daily basis. Mr. Michaud wants to see if the Department of Environmental Protection has given 61 Milton Street a timeframe before he sends the letter out to have the letter reviewed by Town Counsel.

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



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Dartmouth Board of Health Local Regulations/Draft Livestock Regulations - Mr. Michaud met with the Agricultural Commission last week about the intent behind the draft Livestock Regulations. The Agricultural Commission expressed concerns with the titling of the new regulations. There was discussion with the Agricultural Commission about concerns with odor, shelters, and defining piglets. Mr. Michaud explained that after discussion with Animal Control and the Agricultural Commission it was determined that piglets should be defined as a "pig". Mr. Michaud will continue to work on the Livestock Regulation for the next meeting.

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

Stetson Trust/discussion on proposed community nurse service with a portion of the proceed of the trust- No further developments

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

Assistant Part-time Animal Control schedule - verbal - Mr. Michaud updated the Board that the Emergency Call Out Procedure has been implemented. Dartmouth Town Employees Association was provided with a job posting for the Animal Control Emergency Call Out, but no one applied. As of right now, there are three employees providing emergency call out.

➤ ***No further action required by the Board at this time.***

Update regarding Dartmouth Board of Health Regulations/Restriction the Sale of Tobacco & Nicotine Delivery Products - The Board inquired about the writing of the regulations and what would be a good timeframe to have draft regulations submitted to the Board. Mr. Michaud will take on the task of writing the draft regulations. The Board and Mr. Michaud discussed focusing on the following with the new regulations: public health concerns, licensing (which will be similar to Alcohol), and enforcement. The Board suggested having the draft regulation completed by June 1, 2015.

➤ ***No further action required by the Board at this time.***

Septic System Plans

Septic System Plans - requiring no action of the Board

- Celia Souza Life Estate/Plat 74, Lot 9, 1501 North Hixville Road
- Paul Lima/Plat 32, Lot 7 (portion), Woodcock Road
*Expanded well testing due to proximity to Woodcock Road Gun Range, RCRA 8 Metals

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



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Director's Report - topics for discussion - The Board perused the Director's Report. Mr. Hardman inquired about the amount and type of out of code food, and unlabeled bakery products at Prestige Market. Mr. Michaud explained this was similar to the routine inspection a few months prior.

The Budgets for the Board of Health and Dartmouth Animal Control were briefly discussed. There is a decrease in salary, and an increase in expenses.

Mr. Michaud mentioned that Seven Hills Behavioral Health wanted to meet with the Board on updating our tobacco regulations in regards to flavored nicotine. Mr. Hardman noted the Board will be addressing this in our new regulations. The Board didn't feel they need to meet with Seven Hills at this time.

Mr. Michaud mentioned the Select Board has requested a monthly inspection of the Smith Robinson landfill site. Mr. Michaud will try and contact Ms. Robinson, and if unsuccessful he will contact her counsel.

➤ **No action required by the Board at this time.**

Crapo Hill Landfill Operating Hours - Mr. Michaud summarized for the Board that due to the inclement weather Scott Alfonse had contacted him for permission to operate Crapo Hill landfill for a full day on Saturday January 31, 2015, and on Sunday, February 1, 2015, from 7:00 a.m. until 3:30 p.m. Mr. Michaud did approve the operation of the landfill's requested by Mr. Alfonse. This was brought to the Board's attention as a courtesy.

➤ **No action required by the Board at this time.**

Massachusetts Farm Bureau Enter New Legislative Session with an Aggressive Slate of New Bills - This document was included for informational use by the Board. The Board did suggest Mr. Michaud contact State Representative Christopher Markey, and Senator Mark Montigny in regards to removing public health safe guards through the filing of these bills.

➤ **No action required by the Board at this time.**

Cancer Incidence in Massachusetts, 2006-2010, City and Town Supplements - This document was included for informational use by the Board.

➤ **No action required by the Board at this time.**

Records Request - verbal - With the possibility of the relocation of the Board of Health, Mr. Michaud has been contemplating setting a policy when someone comes into the office to review certain files. Designated staff should review the folder prior to any release of information. The only files that would not be affected would be sewage disposal files. Mr. Michaud would create



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a request for file review form. Ms. Brodeur recommended that this form remain in the file, as a way to track who has reviewed a particular file.

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

Complaint log from 01/09/2015 - Complaints were reviewed by Board.

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

Discussion for any item not know 48 hours in advance -

- **Nothing at this time.**

At 8:30 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