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DARTMOUTH TOWN CLERK



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DARTMOUTH BOARD OF HEALTH
DARTMOUTH TOWN HALL - ROOM 315 - 6:00 P.M.
MEETING MINUTES - Wednesday, July 15, 2015

The Board of Health meeting was called to order at 6:00 P.M. on July 15, 2015 in room 315.

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

The following administrative items were approved or signed as amended by Thomas W. Hardman and Lynne Brodeur.

- The minutes of the meeting of June 17, 2015
- Leslie E.J. McKinley, chair, Lynne Brodeur, and Thomas W. Hardman signed the bill from Pontes Excavating for the installation of the sewage disposal system at 36 Bellevue Street

Nicholas Clattenburg/Famous Tattoo/Body Art Practitioner application- The Board had a brief discussion with Mr. Clattenburg about his experience as a tattoo artist, and how long he has been tattooing. Mr. Clattenburg has completed over 2,000 tattoos, and presented his portfolio to the Board.

Mr. Michaud and the Public Health Nurse Erica Hanks have reviewed the application and found everything to be order.

- *Thomas W. Hardman motioned and seconded by Lynne Brodeur to waive the Anatomy and Physiology course requirement in consideration of the specialized training he received at the Quincy Health Department, and to grant Mr. Clattenburg a Body Art Practitioner's permit in the Town of Dartmouth motion made unanimous by Leslie E.J. McKinley.*

Piggery Regulations Revision- Mr. Michaud informed the Board that he would be meeting with the Assistant Town Counsel on Friday to go over the Piggery Regulations.

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

Tobacco and Nicotine Delivery Devices Regulation revision update - The Board perused and discussed the proposed changes to the Tobacco Regulations Mr. Michaud has been working on. The Board had some brief comments regarding the manager failing the tobacco test prior to the renewal than the license to sell tobacco products will be suspended, changing some wording under general requirements, and deleting section 4 and 12 on the Tobacco Regulations. Further discussion ensued on adding vaping verbiage for e-cigarettes, as well age restrictions for the use of rolling papers to 18 year of age and younger was discussed. The Board complimented Mr. Michaud on all the work he has done to revise the Tobacco Regulations. Mr. Michaud will make the changes suggested and then submit the Tobacco Regulations to Town Administrator for Town Counsel review.



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Mr. Michaud mentioned that he didn't feel comfortable using the FDA's inspections, and feels the Board of Health should conduct their own inspections. Mr. Hardman offered assistance with doing tobacco compliance checks.

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

Fisher Road and Songbird Acres composting - update - Mr. Michaud informed the Board he had conducted an inspection with Select Board member Kelli Martin Taglianetti on June 26, 2015, and on the same day Ms. Costa had filed an odor complaint. Mr. Michaud stated there were no unusual odors detected at the time of his and Ms. Martin Taglianetti's inspection.

Mr. Michaud mentioned that after a recent article about a stump dump on Hixville Road Representative Markey would like to setup a meeting with DEP to talk about composting with the Town. Mr. Hardman would like to attend this meeting if it ever transpires.

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

Barnstable County I/A Tracking Program - Mr. Michaud informed the Board he will be reviewing the model language before they go to Assistant Town Counsel Brian Cruise for review. Mr. Hardman asked if there would be any language to include Zabel filters. Mr. Michaud responded it would not. Prior to the implementation of these regulations they will need to be advertised as prescribed.

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

Greater New Bedford Regional Vocational Technical High School (GNBRVTH) student intern - Mr. Michaud informed the Board that he and the Animal Control Officer, Sandra Gosselin interviewed Meghan Long in June. Ms. Long has a lot to offer the Animal Control Department, as well as, gaining real life work experience.

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

State Road Cement Block- update - Mr. Michaud mentioned that he had met with Richard Bono on site and offered some suggestions that may alleviate the dust problems. Mr. Wheaton called the office to give his thanks because whatever Mr. Michaud said or did seems to be working.

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



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Sharps Disposal and Medical Waste Disposal - update-Donna Farias, Administrative Clerk explained to the Board that she had been in contact with Kim Portais-Rolfson from the State about obtaining a kiosk for medical waste disposal. Ms. Portais-Rolfson explained at this time she didn't have any information she could provide, but has been in contact with our local police department to see if they were participating in the medical waste disposal program. Ms. Portais-Rolfson stated she will follow-up when she has more information.

On another matter of sharps collection, Ms. Farias had been in contact with Stericycle to assess the costs for collection and disposal of sharp containers. Stericycle did submit a proposal that was given to the Board. The Board would like Ms. Farias to contact Stericycle to see if reducing the frequency of pickups would reduce the cost, as well as, look into other companies that provide this service.

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

Septic Plan(s) requiring no action of the Board of Health-

- Ronald Oliveira/Map 56 Lot 17-7, Digger Drive
- Ian McGonnigal, 31 Striper Circle, Alan Ewing Engineering, upgrade.
- Herman Bruce, 742 Collins Corner Road, Charon Associates, upgrade.
- Michael Sarli, Trustee /Plat 64, Lot 26, 647 Highland Avenue -upgrade.

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

Septic Plan(s) requiring action by the Board-David Brownell, 482A Smith Neck Road, Prime Engineering - Mr. Michaud explained this is a waiver request to allow a sieve analysis in lieu of a perc test due to saturated conditions. **Note - No increase in flow grant of restrictive covenant. Assessors list a lesser number of bedrooms than exists in the house. A walk through was conducted during the perc and five bedrooms are present. These bedrooms are original to the dwelling and were not added at a latter point in time.

➤ *Thomas W. Hardman motioned and seconded by Lynne Brodeur to allow a sieve analysis in lieu of a perc test as designed with a grant of restrictive covenant, operational and maintenance agreement motion made unanimous by Leslie E.J. McKinley.*

Aspen Properties, Hixville Road subdivision lot 4- low flow sampling results for lindane - verbal update- Mr. Michaud informed the Board the second water sample came back not detected.

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



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Animal permit request

Paula Lauzon/Plat 160, Lot 87, 140 Lexington Avenue-The Board reviewed and discussed the animal permit request for five chickens at 140 Lexington Avenue.

- *Thomas W. Hardman motioned and seconded by Lynne Brodeur to allow Ms. Lauzon to have five chickens and no roosters at 140 Lexington Avenue motion made unanimous by Leslie E.J. McKinley.*

Theodore Robbins, III/Plat 24, Lot 82 on 588 Rock O'Dundee Road- The Board reviewed Mr. Robbins application to have two hens and 1 rooster (Dutch Bantam). The Board discussed concerns from a letter an abutter had submitted about the roosters. Mr. Hardman asked Mr. Robbins and Ms. Robbins who were present if they are now asking the Board if they wanted the two hens and one rooster. Mr. Robbins agreed that he only has the two hens and one rooster. The other roosters no longer reside at this address.

Mr. O'Brien who is also an abutter spoke in favor of Mr. Robbins having the two hens and one rooster.

Discussion ensued on how long Mr. Robbins has had possession of the birds, housing and location of the birds on the property.

- *Thomas W. Hardman motioned and seconded by Lynne Brodeur to allow Mr. Robbins to have two hens and 1 rooster (Dutch Bantam) at 588 Rock O'Dundee Road motion made unanimous by Leslie E.J. McKinley.*

Jose Almeida/Plat 143, Lot 108 & 109 on 163 Sharp Street-The Board reviewed Mr. Almeida's Animal Permit amendment. The Board discussed the existing animals Mr. Almeida currently has a permit for and the size of the parcel. It was the opinion of this Board to deny Mr. Almeida's request due concerns about the lot size and number of animals he currently is permitted to keep at the property.

- *Thomas W. Hardman motioned and seconded by Lynne Brodeur to deny Mr. Almeida's request to amend his permit to raise a calf every four months and not to exceed two calves a year based on the number of existing animals and the size of Mr. Almeida's property motion made unanimous by Leslie E.J. McKinley.*

Complaint log from 06/15/2015- 07/10/2015 - Complaints were reviewed by the Board.



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The Board discussed a minimum housing violation at 383R Hixville Road and the subsequent problems that have arisen at this site. This review resulted in the Board deciding to remove Health & Sanitary Inspectors, Janice Young and Courtney Cohen from this matter.

The Chair, has asked Board member Thomas W. Hardman who is also an appointed Health & Sanitary Inspector for the Town of Dartmouth in addition to being an elected member of the Board of Health to step in and handle this issue for the Board of Health. Mr. Hardman graciously accepted.

The Chair would like the continued guidance on this from Town Counsel and would ask Counsel to please communicate directly with Mr. Hardman about the remaining minimum housing issue at this site.

Additionally, the Board discussed and stressed the importance of being committed to having Town Counsel take the lead on complicated legal matters such as this one.

- *Leslie E.J. McKinley, chair motioned and seconded by Lynne Brodeur to have Mr. Hardman step in to handle this issue for the Board of Health and to follow Town Counsel's guidance motion made unanimous by Thomas W. Hardman*

Beach Testing Results- This document was included for informational use by the Board.

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

Brandon Woods Home Care of Dartmouth/Dartmouth Public Health Statistics June 2015- This document was included for informational use by the Board.

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

Department budgets relative to positions-Mr. Michaud explained that Board of Health and Animal Control's Fiscal 2017 budgets will be adjusted. Some of Animal Control budget is not public safety and is general government, so there will be a re-distribution of funds into the Board of Health but this will not have an impact on staff. Mr. Michaud would also like to create a "Health Technician" position. Mr. Michaud would like to retitle the Assistant Animal Control Officer position to better reflect the dual purpose of the position. A brief discussion ensued on streamlining positions and possibly having the operators of beaches do their own beach testing.

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



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Flu Clinics-Mr. Michaud has spoken with Rite Aid about holding another flu clinic for year 2015, and if Rite Aid has nurses available to vaccinate small children. Rite Aid doesn't have nurses this year and will not be able to vaccinate patients under 18 years of age. Mr. Michaud would like to contact CVS Pharmacy, but has a conflict. Ms. Farias volunteered to contact CVS Pharmacy to see if they would be interested in having a flu clinic, and if they would provide nurses to vaccinate children.

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

Monthly Rabies Report - June 1 to June 30, 2015 - This document was included for informational use by the Board.

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

Discussion for any item not know 48 hours in advance -

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

At 7:45 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 McKinley - yes.

Respectfully submitted,

Donna Farias
Administrative Clerk