

REGULAR MEETING OF THE BOARD OF HEALTH
October 6, 2016

A Regular Meeting of the Board of Health was held at the Town Hall on Wednesday, October 6, at 6:30 p.m. The meeting was duly posted. Board members present: Jeannine Lopes and Peter DeTerra. Also present: Patricia Fowle, Health Agent, Paula Medeiros, Administrative Assistant.

Chairwoman Lopes called the meeting to order at 6:30 p.m. and asked for a motion to approve the minutes of the Regular Meeting of September 14, 2016.

Motion to approve the minutes was made by Mr. DeTerra; seconded by Ms. Lopes. The vote was unanimous.

Chairwoman Lopes stated that Ms. Lindsay Gordon had a death in her family.

Before the Board:

On this matter Mr. DeTerra disclosed that he is an abutter to the property. Because Board member Lindsay Gordon was not present, Mr. DeTerra stated he would vote under the rule of necessity. Before the Board was Carmelo Nicolosi of Charon Associates, Inc., Rochester, MA for a proposed repair septic plan for the three-bedroom dwelling at 282 Mill Road. Mr. Nicolosi presented the proposed plan to replace the existing cesspool by using the existing 1500 gallon septic tank with construction of a new 20'x30' leaching facility. The design required a 1' variance from DEP's Title 5: (1) 15.212-groundwater separation less than 4'. The area is serviced by private wells and all wells are greater than 100' from the proposed leaching facility. Mr. Nicolosi stated that the proposed repair constitutes the maximum feasible compliance with current Title 5 and will provide a significant benefit to groundwater without undue inconvenience and expense to the owners and neighborhood. Discussion ensued. Motion to approve the plan with the requested variance and to require a reinforced distribution box was made by Mr. DeTerra; seconded by Ms. Lopes. The vote was unanimous.

Before the Board was John Marchand, P.E. of Farland Corporation, New Bedford for a proposed repair septic plan for the three-bedroom dwelling at 153 Weeden Road. Mr. Marchand presented the proposed plan to replace the existing cesspool with a 1500 gallon monolithic septic tank, a 1000 gallon monolithic pump chamber and a Presby Enviro-Septic 27'x22.5' leaching field with a 40-ml impervious barrier around the leaching facility. The design proposed a 2' separation to groundwater which is allowed by the DEP with use of the Presby system. Board of Health Regulations require 100' setback to wetlands and a variance is required for 50'. Discussion ensued. Motion to approve the plan with the requested variance was made by Mr. DeTerra; seconded by Ms. Lopes. The vote was unanimous.

The Board reviewed a septic system inspection report for 902 Scoticut Neck Road, performed by Ronald Arruda, Fairhaven Honeywagon, Fairhaven, on September 28, 2016. The system is a 1000 gallon septic tank to a distribution box and to 4 flow diffusers installed in 1990. The inspection passed. The health agent was present at the time of inspection. The Board concurs with the findings of the report. Motion to accept the septic system inspection report was made by Mr. DeTerra; seconded by Ms. Lopes. The vote was unanimous.

The Board was informed of a septic system inspection for 29 Monondack Avenue, performed by Jason Haskell, All Clear Septic, Norton, MA on October 5, 2016. The system is a 2000 gallon sewage holding tank installed in 1997. The tank was pumped at the time of inspection. Though the written report has not yet been received, the health agent was present at the time of inspection and the inspection passed.

The health agent would like to accept the report as written when the report is received in the office as long as it is consistent with the observed findings. The Board concurred.

Motion to accept the septic system inspection report when received in the office as long as it is consistent with the observed findings was made by Mr. DeTerra; seconded by Ms. Lopes. The vote was unanimous.

Health Agent's report:

The Health Agent presented a final draft of the proposed regulation Ban of the Sale of Synthetic Drugs. Town Counsel Tom Crotty reviewed the draft and made two changes. He deleted some of the language in Section 4, "Possession, Storage, Provision, Sale & Distribution of Synthetic Drugs" as it was redundant and not clear. In Section 6 "Penalties" he separated fines from suspension and revocation actions of the Board. Attorney Crotty feels fines should stand alone and suspension/revocation should be independent of other possible Board actions. The Town Administrator has informed the Selectmen of the proposed regulation and there is some interest in it. The police chief also has expressed a positive interest as well. It was suggested the Board hold the required public hearing and invite the Selectmen and police chief to address the proposed regulation. Additionally, all permitted food/tobacco establishments will be affected by the regulation if they sell the product as it will result in fines, suspension of operations and revocation of any permit issued by the Board of Health. The Board will be polled on an agreeable date in November to hold the public hearing.

The board reviewed and discussed the food establishment inspection log sheets.

The Health Agent discussed a webinar she attended given by the Department of Public Health (DPH). The topics included the ongoing Zika virus and opioid crisis. The DPH is recommending task teams to address the opioid abuse especially for the bigger cities. All DPH regulations have been under review as part of an original directive of Governor Baker. New changes to the food code, housing code and sanitary code in general will be forthcoming in the next year. The Health Agent will update the Board with any changes and/or updates as they go through the hearing process.

The Health Agent informed the Board of the upcoming 21st Annual MAHB Certificate Program. There are new programs addressing hazardous waste, Zika, and the opioid crisis. She asked the Board to let the office know by October 21st if they wish to attend. The attendance fee may be covered by the emergency preparedness funds.

The Health Agent also reported to the Board that with the approval of the Town Administrator, a transfer of funds from the Pest Control account was used to cover the overage for the cost of the Household Hazardous Waste Day invoice which totaled \$11,828.00 as the turnout was greater than expected.

The Board reviewed and signed invoices.

The date of the next Regular Meeting of the Board will be determined by polling the members for the most agreeable date. The public hearing for the proposed regulation may be included on the same date.

There being no other business before the Board, Mr. DeTerra motioned to adjourn; Ms. Lopes seconded. The vote was unanimous at 7: 10 pm.

Respectfully submitted,
Paula Medeiros, Administrative Assistant