

Halifax Board of Health
Meeting Minutes
Wednesday, February 04, 2015

On Wednesday, a meeting of the Halifax Board of Health was held in the Board of Health office at 7:00 p.m.

Present at the meeting were:

John DeLano – Chairman
John Weber – Co-Chairman
Cathleen Drinan – Health Agent
Peggy Selter, Administrative Assistant

The Board of Health meeting opened at 7:00pm

1. Discussion:

- a. 67 Holmes Street Design Plan – Dana Junior was in attendance.
 - i. Mr. Junior presented the new plan design to the Board and said the Conservation Committee approved the plan on the subject to the Board of Health’s approval regarding crushing & filling in the old cesspool.
 - 1. The Board informed Mr. Junior that the appropriate notes needed to be listed on the plan.
 - a. Old cesspool to be decommissioned. Pumped, (if applicable) filled and crushed
 - b. Waiver’s:
 - i. Distance from septic system to Tributary to a surface water supply
 - ii. Reduction to groundwater

2. Items:

- a. Hearing for regulations on Barn/Stable and Housing Inspection upon Change of Occupancy.
 - i. **Hearing for regulations on Barn/Stable:** The public hearing on Barn/Stable regulations was open at 7:30pm.
In attendance: Annie & Peter Brown, Roger James, Terri Carman, Sheila O’Handley, Barbara O’Handley and Charles Emerson.
 - 1. The Board thanked everyone for attending and opened the floor to the health agent for a summary of the regulation being proposed.
 - a. The Health Agent summarized the proposed Barn/Stable regulation and described what the Animal Inspector’s duties entailed; she went over the proposed Barn/Stable application and manure management. The Agent also informed the audience how the proposed regulation would help the Board of Health fund the Animal Inspector position, as it is a State mandated, unfunded position. The Health Agent then returned the floor to the Chairman.

2. The Chairman opened the floor to the residents for comments and questions.
 - a. A resident stated this is a rural community, they pay high taxes because of the area of land and structures on their property and they are concerned with the cost to animal owners.
 - i. The Health Agent explained that barn inspections are mandated by the state and that the Animal Inspector can't work for nothing, there is a lot involved with inspections.
 - b. A resident informed the Board that the Animal Inspector only does inspections from September 01st through December 31st. She also stated that according to MGL Ch.111 Sec. 155 "No person shall erect, occupy or use for a stable any building in a city, or in a town having more than five thousand inhabitants, unless such use is licensed by the board of health, and, in such case, only to the extent so licensed. The fee for such licenses shall be established in a town by town meeting action and in a city by city council action, and in a town with no town meeting by town council action, by adoption of appropriate by-laws and ordinances to set such fees, but in no event shall any such fee be greater than forty dollars. This section shall not prevent any such occupation and use authorized by law on May fourth, eighteen hundred and ninety-five, to the extent and by the person so authorized, but the board of health of such a city or town may make such regulations or orders as, in its judgment, the public health requires relative to drainage, ventilation, size and character of stalls, bedding, number of animals and storage and handling of manure in any stable in its city or town."
 - i. The Board stated that the fee section of the proposed regulations will be changed and no more than \$40.00 will be charged as stated by Mass. Law.
 - c. Displeasure was voiced in regards to the manure management regulation.
 - i. The Health Agent stated that it is not a regulation; the Board of Health is just asking for a brief explanation as to where and how the animal waste will be maintained.
 - d. Displeasure was voiced in regards to the fee per animal and the idea that the Animal Inspector spends more time on dog/quarantine related matters.
 - i. The Board reiterated that they understood the fee section of the proposed regulations has to be

changed and no more than \$40.00 will be charged for the permit or license.

- e. The residents discussed being taxed on personal property on animals, that the animals don't make them money, they cost them money. The Board was asked if the dog fund could be tapped and stated that there are grants available for things such as this.
 - i. The Board explained that that the fees from dog licenses go into the general fund and the finance committee handles the general fund. The Board also reiterated that they understood fee section of the proposed regulations has to be changed and no more than \$40.00 will be charged.
- f. Concerns were raised over definitions and the Health Agent was asked to define the term "adequate fencing."
 - i. The Health Agent explained that corals and fencing that are safe and will contain the animals without harm, such as nails sticking out, is adequate. The Board also explained that when the Board of Health receives calls regarding issues such as loose animals they are required to investigate. If an investigation reveals a constant violator, the Board of Health is required to step in and the owner will be asked to define why they consider their corals/fencing to be adequate if the animals have continued to escape.
- g. Questions were asked of the Board regarding 50' distance street/property line and wetlands.
 - i. The Board agreed to review and reconsider the proposed 50' distanced to street/property lines; however, the 50' distance to wetlands is a conservation regulation/by-law and would have to remain as is.
- h. The Board was asked if they would consider grandfathering-in the owners of large animals with barns/stables that are already in place.
 - i. The Board agreed to discuss further the idea to grandfather-in the owners of large animals with barns/stables that are already in place.
- i. Questions and concerns regarding setbacks from wells were expressed by the residents.
 - i. The Health Agent and Board explained that manure contains nitrates and if the well is contaminated by manure the well could possibly have high levels nitrates and nitrates are dangerous to human consumption. The manure management plan will

help with this issue. The Board agreed to also consider a variance clause and the possibility of grandfathering-in on a case by case basis.

- j. The residents suggested volunteering time for barn/stable inspections that need to be done.
 - i. The Board explained that volunteers are not held to the same standards or accountable as the Animal Inspector and that the Animal Inspector is an employee of the Town and is covered by the Town for any liability concerns that may arise.

A Motion was made to close the Barn/Stable Regulation hearing and revisit for discussion at the March 04, 2015 Board of Health meeting.

Motion: John Weber
Second: John DeLano
Unanimous vote on the motion

ii. Housing Inspection upon Change of Occupancy:

A Motion was made to open the Housing Inspection upon Change of Occupancy.

Motion: John Weber
Second: John DeLano
Unanimous vote on the motion

A Motion was made to revisit the Housing Inspection upon Change of Occupancy discussion at the March 04, 2015 Board of Health meeting.

Motion: John Weber
Second: John DeLano
Unanimous vote on the motion

3. Bring to the Boards Attention:

- a. The Selectman's office is asking if anyone from the BOH would like to be on the Solar Farm Committee on the capped landfill. If not, that is fine; the BOH can request to be kept informed.
 - i. The Board respectfully declined the invitation to be a committee member and requested that the Board of Health be kept informed of anything regarding the landfill capping.

The Board also asks that the Solar Farm Committee and/or Town be aware that before anything can be done on or atop the landfill, an approval and permit is required from DEP.

4. Discussion:

- a. Teeka Lynne – Late fee waiver request
 - i. At their January 21, 2015 meeting the Board discussed the late fee waiver issue with Ms. Isakson, the administrative assistant and the health agent and it was agreed that Ms. Isakson would pay the original permit fee that evening and the Board would review the issue further and

inform her of a decision on the scheduled Board of Health meeting on Wednesday, February 04, 2015

- ii. At their February 04, 2015 the co-chairman had to recuse himself due to a conflict of interest.
 1. The Board requested a letter be sent to Ms. Isakson informing her that due to a conflict of interest, a decision on the request for the Board to waive the late fee fine on her annual spa establishment permit would not be decided until after March 19, 2015 when the third Board member returns to the Board of Health's regular scheduled meetings.

b. Agent Report:

- i. MWA –Agent updated Board

5. To be signed:

- a. Ethics/Conflict of Interest Laws Written Acknowledgement - Board Signed
- b. Payroll for the Week Ending January 31, 2015 - Board Signed
 - i. Cathleen Drinan
 - ii. Margaret Selter
 - iii. Lisa McKay
- c. Meeting Minutes: - Board Signed
 - i. January 21, 2015 Meeting Minutes

6. Permits Board Approved: - Board Approved but did not vote, will revisit and vote at next meeting.

- a. Robert Crowell – Crowell Engineering – 2015 Title V Inspector's Permit

7. Mail Folder: - Board Read

- a. Twin Lakes – Poop Patrol Volunteer Service
- b. Halifax Mobile Home Estates Sale

Adjournment

A Motion was made to adjourn the meeting at 9:00p.m.

Motion: John Weber
Second: John DeLano
Unanimous vote on the motion

Typed by,
Peggy Selter
Administrative Assistant

Signed By:
John DeLano – Chairman
John Weber – Co-Chairman
Jeffrey Anderson – Clerk

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