

Halifax Board of Health
Meeting Minutes
Wednesday, December 16, 2015

On Wednesday, a meeting of the Halifax Board of Health was held at the Halifax Town hall.

Present at the meeting were:

John DeLano – Chairman
Alan J. Dias - Clerk
Cathleen Drinan – Health Agent
Peggy Selter, Administrative Assistant

The Board of Health meeting opened at 6:30p.m

1. **Disposal Works Permits:** Donald Brown, owner & Steve Wry, Land Planning in attendance.

The Old Franklin & Hayward Street (Map 113, Lot 2) hearing opened at 6:30pm

- a. **Hearing Continued - 6:30 pm – Old Franklin & Hayward Street (Map 113, Lot 2) Requesting Variances** from “Soils of Special Concern”
 - i. At the 11/16/15 the Board suggested Percs be done to show that soils are not usable in other locations other than where the septic system is being presented on the plan.
 - ii. **Requested Variances: Old Franklin & Hayward Street (Map 113, Lot 2) – Steve Wry updated the Board on the revised plan, additional perc tests and reduced variances.**
 1. *1.06 (10) (c)* setback requirements
 - a. Property line setback to SAS – 50’: {29’ provided} [Title V requirement 10’]
 - b. Other open, surface of subsurface drains setback to SAS – 50’: {35’ provided} [Title V requirement – 10’]
 2. *1.06 (10) (d)* setbacks on mounded septic system will be measured from the toe of the slope: {impervious barrier used to inhibit horizontal movement of effluent} [Title V setback requirements - measured from limit of SAS]
 3. *1.06 (10) (e)* A 50 foot buffer strip of naturally occurring vegetation between edge of system and property line: {no existing vegetation on site except for brush line at Old Franklin Street that will remain undisturbed}
 - a. Land Planning and the Health Agent informed the Board that all additional perc tests done failed and the additional soils were unusable, preventing moving the septic system to another location on the property.

The Board approved the revision made extending the 40sf to 80sf lot size per the “Soils of Special Concern” regulation.

- b. The Board suggested a deed restriction be recorded at the Plymouth Country registry of deeds stating “No more than one (1) family dwelling will be erected” and “The property will not be further sub-divided.”

A Motion was made to continue the hearing on Old Franklin & Hayward Street (Map 113, Lot 2) which will be held at next Board of Health regular scheduled meeting on January 06, 2016 at 6:30pm.

Motion: Alan Dias

Second: John DeLano

Unanimous vote on the motion

The Old Franklin & Hayward Street (Map 113, Lot 2) hearing closed at 7:00pm

Proposed Tobacco Regulations Discussion/Vote Opened at 7:00pm

- b. 7:00pm - Tobacco Regulations Continued Discussion/Vote: Mr. Gerald Co-Wallis, Jr. in Attendance.
 - i. Letters of Support - Board reviewed letters of support
 1. American Heart Association & American Stroke Association.
 2. Tobacco Free Mass.
 3. Letter from Mr. Gerald Co-Wallis, Jr opposing the regulations.
 - a. The Board asked Mr. Co-Wallis if he would like to comment.
 - i. Mr. Co-Wallis stated he sent a letter opposing the regulations and that he was here tonight to voice his opposition to the tobacco regulations.
 - b. The Board explained to Mr. Co-Wallis that nicotine products are a health issue and by the Board of Health passing stricter regulations it would take the incentive away from children before they even begin using the product.
 - i. Mr. Co-Wallis again stated he was against the Board of Health regulating nicotine products and would take legal action in the future should the Board of Health move forward with the passing of any tobacco regulations.
 - c. The Board again explained to Mr. Co-Wallis what the Board of Health was doing, why they were doing it, and that they would, in all probability, be making a decision on the regulations at tonight’s meeting.
 - d. The Board was unanimously ready to entertain a motion to vote on the tobacco regulations.
 - i. The Board reviewed the items from the Board of Health December 02, 2016 meeting.
 1. Restricting the Sale of Tobacco Products:
 - a. 30’ from a municipal entrance:

- i. The Board suggested no changes.
- b. Regulation of types of product being sold in retail stores:
 - i. The Board suggested no changes.
- c. Cigars/tobacco products – prohibiting flavors:
 - i. The Board suggested no changes.
- d. Blunt wraps:
 - i. The Board suggested no changes.
- e. Sale & Distribution:
 - i. The Board suggested no changes.
- f. Amount of Permits:
 - i. The Board approved a 10 permit limit in the town of Halifax for the sale of “Tobacco/Nicotine Products.”
- g. Anonymous Complaints:
 - i. The Board discussed whether or not complaints could be accepted anonymously or in writing, and after some discussion the Board agreed that complaints could only be submitted in writing.

A Motion was made to adopt in its entirety the “Restricting the Sale of Tobacco Products” to become effective on March 15, 2016.

Motion: Alan Dias
Second: John DeLano
Unanimous vote on the motion

- 2. Prohibiting Smoking in Workplaces and Public Places:
 - a. Municipal employee’s smoking in vehicles (Exemptions?):
 - i. The Board suggested no changes.

A Motion was made to adopt in its entirety the “Prohibiting Smoking in Workplaces and Public Places” to become effective on March 15, 2016.

Motion: Alan Dias
Second: John DeLano
Unanimous vote on the motion

- c. 67 Plymouth Street: Marcia Orcutt – A letter was sent regarding the Board’s deliberation and decision regarding the mold issue complaint follow-up on December 02, 2015.

2. Disposal Works Permits:

- a. **Ratify Agent’s approval:**
 - i. 151 River Street
 - ii. 155 River Street

3. Bring to Boards Attention: - Board Read

- a. Letter from Resident regarding tobacco regulations
- b. 2016 Calendar’s with Meeting dates in yellow and pond sample collection for E.coli dates in blue
- c. Food Establishment Plan Reviews

4. Discussion Items:

- a. Emergency Preparedness – [Revisit at January 06, 2016 meeting.](#)
- b. **Admin Report:**
 - i. Final reminders for December 31st deadline to submit 2016 permit applications sent December 16, 2015. - [Admin. updated board](#)
- c. **Agent Report:** - [Agent updated board](#)
 - i. Assistant Health Agent
 - ii. Dog Poop
 - iii. Septic Tank Covers Policy

5. The Following to be signed:

- a. Ethics/Conflict of Interest Laws - [Board Signed](#)
- b. **Meeting Minutes:** - [Board Approved](#)
 - i. October 07, 2015 Meeting Minutes
 - ii. November 04, 2015 Meeting Minutes
- c. **Expense Account# 01-512 – FY 16-08** - [Board Approved](#)
 - i. Kathleen DeVasto-Piemonte – Kitchen Inspection – Invoice# 120615-03 – Bella’s Pizzeria II - \$50.00
 - ii. Kathleen DeVasto-Piemonte – Kitchen Inspection – Invoice# 120615 – Stop & Shop - \$50.00
 - iii. Kathleen DeVasto-Piemonte – Kitchen Inspection – Invoice# 120615 – BR’s Monponsett Inn - \$50.00
 - iv. Kathleen DeVasto-Piemonte – Kitchen Inspection – Invoice# 120615 – All Seasons restaurant - \$50.00
 - v. Kathleen DeVasto-Piemonte – Kitchen Inspection – Invoice# 121015 – Walmart - \$50.00
 - vi. Kathleen DeVasto-Piemonte – Kitchen Inspection – Invoice# 121015 – Hawaii Gardens - \$50.00

- vii. Kathleen DeVasto-Piemonte – Kitchen Inspection – Invoice# 121015 – Halifax Country Club - \$50.00
- d. **Expense Account# 01-512 – FY 16-10 - Board Approved**
 - i. John DeLano (Initial) – 10.21.15 to 11.07.15 Mileage Reimbursement – \$159.62
- e. **Expense Account# 01-512 – FY 16-11 - Board Approved**
 - i. Alan Dias (Initial) – 08.25.15 to 11.07.15 Mileage Reimbursement – \$35.54
- f. **iPad Gift Account# 26-514-4830-02 – FY 16-05 - Board Approved**
 - i. Cathleen Drinan – iPad Usage Reimbursement for , 2015 - \$14.99
- g. **Permits: - Board Voted**
 - i. Holidays in Halifax – 2016 Seasonal Permit
 - ii. Walmart – 2016 Food Establishment Permit, Retail Food Permit and Tobacco Permit
 - iii. All Seasons - 2016 Food Establishment Permit
 - iv. Morse Engineering – 2016 Septic Installer’s Permit
 - v. All-Town, Inc. – 2016 Septage Hauler’s Permit
- h. **Mail Folder: - Board Read**
 - i. **Zoning Board of Appeals**
 - 1. Reorganization of Board
 - 2. Special Permit – In-Law Apartment
 - ii. **Finance Committee**
 - 1. 2016 Meeting Schedule
 - iii. **Conservation Commission**
 - 1. 2016 Meeting Schedule
 - iv. **Wage & Personnel**
 - 1. 2016 Meeting Schedule

Adjournment

A Motion was made to adjourn the meeting at 8:30p.m.

Motion: Alan Dias
Second: John DeLano
Unanimous vote on the motion

Typed by,
Peggy Selter
Administrative Assistant

Signed By:
John DeLano – Chairman
John Weber – Co-Chairman
Alan Dias – Clerk

~You can receive an official signed copy of meeting minutes at the Board of Health Office~