

**Halifax Board of Health
Meeting Minutes
Wednesday, February 01, 2017**

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
John Weber – Co-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:

a. Requiring Local Upgrades & Variances: (but otherwise recommended for approval):

i. 319 Plymouth Street

A Motion was made to follow procedure required for hearings.

Motion: John Weber

Second: Alan Dias

Unanimous vote on the motion

2. Bring to Boards Attention: - [Agent updated Board](#)

a. Postage Increase

b. Publication of Legal Notices

c. “Hold” on Fieldstone Show Park Large Outdoor Event permit memo sent to the Selectmen’s office

d. 2001 (Old) Beneficial Use for Drinking Water Sludge

e. Sludge Complaint (old) Folder

f. R.O.A.R. Folder (old, 1992)

g. Continued Discussion of Possibility of Active Shooter Incidents Update

i. [The Board suggested the administrative assistant check and see if the Building Dept. or Assessors office has a floor plan of the Town Hall they could look at.](#)

ii. [The Board also suggested this subject be kept on the agenda as a discussion item for future meetings as they consider this an important subject.](#)

h. 395 Plymouth Street: Update

i. [Alan Dias updated the Board on the progress of the septic system installation.](#)

3. Discussion Items:

a. 6:30pm - Fieldstone Show Park Well Testing – Mr. Scott Clawson, owner Fieldstone Show Park and Attorney Phil A. Taylor, Counsel for Mr. Scott Clawson in attendance.

- i. The Board open the issue of well testing at Fieldstone Show Park to Mr. Clawson. Mr. Clawson stated he brought his attorney with him and will let him begin the discussion. Attorney Phil Taylor introduced himself as Mr. Clawson's counsel regarding this matter.
- ii. Attorney Taylor stated that Attorney Mayo told him Mr. Clawson didn't receive his irrigation well permit because of non-payment of funds.
 1. The Board stated that Attorney Mayo is not here to defend himself on that accusation and asked the Administrative Assistant to respond with any information she may have regarding the matter, as she was the one who corresponded and spoke with Mr. Clawson and DM Drilling Services, the company that drilled the well.
 - a. The Administrative Assistant responded that she never said anything about non-payment of funds, she only forwarded to Mr. Clawson the information from an email sent to her from Erin at DM Drilling Services.
- iii. Attorney Taylor commented that that's what Attorney Mayo told him and it's disappointing.
 1. The Administrative Assistant replied that nobody in the Board of health office ever used those words.
- iv. The Board reiterated that Attorney Mayo was not there to defend himself and that we should move forward with the email the Administrative Assistant presented from DM Drilling.
 1. The Administrative Assistant read out loud, the email sent to Mr. Clawson on September 29, 2016 between herself and Erin from DM Drilling Services dated September 16, 2016.
- v. The Board asked Attorney Taylor if he had any other questions.
 1. Attorney Taylor asked what tests the Board of Health required for the irrigation wells.
 - a. The Administrative Assistant presented and read out loud an email dated September 29, 2016 between herself and Mr. Clawson. In the email, Mr. Clawson asked what tests the Board of Health requires and the Administrative Assistant replied, The Board of Health requires potability and VOC's for all wells.
- vi. In regards to the irrigation pond the Board asked; where the water goes, if the water/pond was for public use, approximately how deep the pond was and if there was any piping/plumbing or any other connections at the pond?
 1. Mr. Clawson stated the pond is not for public use, it is an irrigation pond and the water is for dust control.
- vii. Board asked if the irrigation well was an artesian well.
 1. Mr. Clawson stated it was.
- viii. The Board asked if there was only one line going to and from the irrigation well and Mr.
 1. Clawson stated it was.
- ix. The Board stated all they want to do is make sure the irrigation well is suitable.

1. Mr. Clawson stated he informed Attorney Mayo that he would provide the irrigation well water samples at the same time he provides the drinking well water samples, when the well opens in the spring, right now it's closed for the season.
- x. The Health Agent asked Mr. Clawson "Per the well water agreement from last year, will you be able to test for the April show?"
 1. Mr. Clawson responded that the Board of Health may call it an agreement, he calls it a mandate, but he would be able to test for the April show.
 - a. The Health Agent replied that Mr. Clawson came in on his own accord and agreed to the two (2) weeks prior to a show well water testing.
- xi. The Health Agent gave Attorney Taylor a copy of the state guidance used on the town's well guidelines.
 1. Attorney Taylor stated that there appears to be two (2) sections missing from the well regulations, appendix a, and appendix b.
 - a. The Board commented that there is enough wording in the regulation to understand its reasoning.
 2. Attorney Taylor stated that Mr. Clawson is going to provide testing for the well, and we also have to deal with who will be collecting the sample.
- xii. The Board asked when the sample would be taken.
 1. Mr. Clawson stated the well samples would be take on March 25, 2017, at the same time the drinking well is tested. This is two (2) weeks prior to the April 8th show.
- xiii. The Board commented that it is the responsibility of the Board of Health to protect the public and asked who collected the previous water samples taken, and who will be taking this water sample.
 1. The Health Agent replied that on the water result paperwork it simply lists S. Clawson that could be either Scott or his son Shawn.
 2. Mr. Clawson responded that it was he who took the previous samples and it will be him taking this sample.
- xiv. The Board stated that they were considering a chain of custody process.
 1. A discussion took place concerning the collection of water samples and chain of custody regarding a Board member or the Health Agent possibly accompanying Mr. Scott Clawson to witness the collection of the water sample.
- xv. The Board stated they would take everything under advisement and suggested that Mr. Clawson's Attorney, Phil Taylor summarize in writing, what Mr. Clawson is requesting of the Board tonight and send it to the Administrative Assistant.
- b. 7:00pm – MacDonald Industries - Marilyn MacDonald, Operations Manager, Mike MacDonald, Donald P. Nagle, Esq. for MacDonald Industries and Eric Badger, Bridgewater Health Agent, in attendance.

- i. A discussion took place regarding the possibility of joining the land at the Republic/BFI Landfill between Halifax & Bridgewater, filling the swale between the two (2) properties with soil and adding solar panels on top.
- ii. MacDonald Industries commented that they are currently in open discussions with DEP regarding this matter. DEP suggested MacDonald Industries go town to town and get support from them.

MacDonald Industries remarked that they went to Bridgewater and got support from them in a written letter, Eric Badger, Bridgewater Health Agent is here tonight to show their support.

MacDonald Industries stated they would like to do something that would benefit both towns and they are here tonight to present the idea to the Board in Halifax in hopes of getting their support.

- iii. The Board asked about the drainage and Stormwater Management
 - 1. MacDonald Industries explained that yes, the swale was there for a reason and they were working on plans for drainage and Stormwater Management which was currently “To-Be-Determined.”
- iv. Eric Badger, Bridgewater Health Agent commented that Bridgewater also asked about the Stormwater drainage. It is estimated about a million tons of fill will be needed and the time frame is approximately 3-4 more years before the solar panels would be installed. Eric Badger encouraged the Board to visit the site, as he did, to get a better understanding of the development and the solar project.
- v. The Board commented on their concerns with the settlement and stability of the structure down the line.
 - 1. MacDonald Industries explained their operational side process. As part of this process, they work a small area at a time using vibrating drum rollers, and indicated that it is as stable as humans are going to get it.
- vi. MacDonald Industries would ask the Board to sign a letter of support as soon as possible for the solar project. Once MacDonald Industries receives enough support from the surrounding towns, DEP will issue an ACO with them.
 - 1. The Board requested that this item be placed back on the March 15, 2015 at 6:30pm agenda for further discussion.

c. 11 Hayward Street

- i. Agent updated Board that installer would like to submit another plan for the Board to look at. Board is fine with submission of another plan for review.

d. 25 Oak Place

A Motion was made to approve with condition of three (3) bedroom deed restriction.

Motion: John Weber

Second: Alan Dias

Unanimous vote on the motion

e. **Admin. Report:**

- i. None Tonight

- f. Agent Report:**
 - i. Mobile Home Park
 - ii. Twin Lakes - Complaint
 - iii. Food Regulations:
 - 1. Amend the 10 day re-inspection part of regulation
 - 2. Any additional fees and/or re-inspection fees owed at time of renewal will be added to permit renewal fee

4. The Following to be signed:

- a. Signature Authority Fiscal Year 2017 - [Board Signed](#)
- b. Records Liaison Officer Designation - [Board Signed](#)
- c. **Payroll for the Week Ending February 04, 2017 - [Board Signed](#)**
 - i. Cathleen Drinan
 - ii. Margaret Selter
 - iii. Tracy Noland
- d. **Meeting Minutes: - [Board Signed](#)**
 - i. January 04, 2017 Meeting Minutes
 - ii. January 11, 2017 Meeting Minutes
 - iii. January 18, 2017 Meeting Minutes
- e. **Revolving Account# 25-513 – FY 17-12 - [Board Signed](#)**
 - i. Kathleen DeVasto-Piemonte:
 - 1. Invoice# 120816 – Walmart - Inspection – \$50.00
 - 2. Invoice# 120816 – Hawaii Garden - Monitoring – \$50.00
 - 3. Invoice# 121416 – Caitlin’s Country Kitchen - Inspection – \$50.00
 - 4. Invoice# 121416 – All Season’s Restaurant - Inspection – \$50.00
 - 5. Invoice# 011117 – All Season’s Restaurant – Re-Inspection – \$25.00
 - ii. Grady Consulting – Invoice# – 2nd Plan Review – 319 Plymouth Street - \$85.00
- f. **Nursing Services Account# 01-522 – FY 17-06 - [Board Signed](#)**
 - i. Norwell Visiting Nurse Association – Invoice# HBOH01216 – Nursing Services for December 01, 2016 through December 31, 2016
- g. **Permits: - [Board Approved](#)**
 - i. Kathleen Feehan – 2 Heron Road – 2017 – Irrigation Well Permit
 - ii. Fieldstone Show Park – 2017 Large Outdoor Event
 - iii. Halifax Fireworks – 2017 Large Outdoor Event
 - iv. BK and Company Hair Design, Inc. – 2017 Spa Establishment Permit
 - v. Cape Cod Café – 2017 Food Establishment Permit
 - vi. Eric Watson – E. Watson Excavating – 2017 Septic Installer’s Permit
 - vii. Thomas Driscoll – T.J. Driscoll – 2017 Septic Installer’s Permit
 - viii. Fred Swain – Wind River Environmental – 2017 Septic Installer’s Permit
 - ix. Robert Brenton – Heritage Pumping – 2017 Title V Inspector’s Permit
 - x. Fred Swain – Wind River Environmental – 2017 Title V Inspector’s Permit
 - xi. Eric Mueller – Wind River Environmental – 2017 Title V Inspector’s Permit

- xii. Michael DeCosta, Jr. – Wind River Environmental – 2017 Title V Inspector’s Permit
- xiii. Nicholas Geneseo – Wind River Environmental – 2017 Title V Inspector’s Permit

A Motion was made to approve permit item# i, and permit items# iii through xiii and to “hold” permit item# ii, Fieldstone Show Park, 2017 Large Outdoor Event permit until the matter of the well testing has been resolved.

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

h. Mail Folder: - Board Read

- i. Radiological Emergency Planning
- ii. Customer Service Workshop
- iii. Norovirus Season
- iv. **Zoning Board of Appeals**
 - 1. Special Permit – Monponsett Street
 - 2. Public Hearing – Eleventh Avenue
- v. **Board of Selectmen**
 - 1. Earth Removal Permit – Lingan Street
 - 2. Boy Scout Troop 39, Community Yard Sale – Permission granted for use of Town Green

Adjournment

A Motion was made to adjourn the meeting at 9:30p.m.

Motion: John Weber
Second: Alan Dias
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~