

Halifax Board of Health
Meeting Minutes
Wednesday, May 16, 2018

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. **6:30pm** – Public Hearing: Declared Uninhabitable - 48 Plymouth Street: Jessica Boyde & Keary Battle came into the hearing after it opened at 6:30pm.
 - a. Building/Structure needs to be secured.
 - i. The Board discussed the fact that the building/structure needs to be secured and that a fence needs to be secured around swimming pool.
 - ii. The Board stated that the placard that was placed on the property as “uninhabitable” was gone, somebody had removed it.

A Motion was made to secure the building/structure with plywood and secure the fence around the swimming pool.

Motion: Alan Dias

Second: John Weber

Unanimous vote on the motion

- b. The Board kept the hearing open so that Ms. Boyde and Mr. Battle could present information and updates to the Board of Health.
 - i. Mr. Keary Battle stated he was the father of the four (4) children that lived at the property with their mother, Courtney and that Ms. Jessica Boyde was his current wife. Mr. Battle stated that he now has custody of the children because his ex, Courtney was currently incarcerated. He stated that he and Ms. Boyde will be going to court in the morning to resolve their issues.
 - ii. Mr. Battle and Ms. Boyde both stated that they are requesting a 48 hour extension to fix/repair the property and that it would give them more time to get legal representation.
 - iii. Mr. Battle & Ms. Boyde stated that they have people that will help with the plumbing & repairs and that they have family and friends who would help for free.
 - iv. Ms. Boyde stated that Courtney, Mr. Battles’ ex would be going to probate court on 05/17/18 to put the house in her kids’ name.

- c. The Board stated that they have already voted to secure the building/structure and that the town can get that done. The commented that the other issues mentioned relating to the children and their mother, his ex are legal matters between themselves.
 - d. The Board stated that they need to speak with someone who has the legal right/authority to represent the property owner.
 - e. The Board stated that any and all repair work needs to go through the Building Department for permits.
 - f. The Board stated that the building/structure will be secured and that Mr. Battle & Ms. Boyde should continue to speak with the Board of Health and that the Board of Health will go from there.
2. 7:00pm – Marilyn’s Landing update. Marilyn MacDonald and Don Nagle were in attendance. Marilyn MacDonald updated the Board on the Marilyn’s Landing project.
- a. MacDonald Industries = Has been operating under Town of Bridgewater BOH Approval since 8/13/13 and entered into State ACO (Administrative Consent Order) Permit 11/30/17 (Phase 2)
 - i. ACO = Hybrid, to the fact that property is "Site Assigned" and State developed a "Site Specific" RCS2 Table approved by both State and Town of Bridgewater (see attached)
 - ii. Current on Bridgewater Site Extending:
 - 1. Accepting RCS2 Soils:
 - 2. BUDS = (Beneficial Use Determination) Town Water Filtration.
 - 3. Generic Street Sweepings BUD
 - 4. Catch Basins
 - b. Republic Services = Fully Executed "Letter of Intent" (LOI) April 20th 2018.
 - i. 90 Days Assessment Period for viable project for (Phase 3).
 - ii. Highest and Best Use Options.
 - c. Solar = Senator Marc Pacheco Site Visit May 7th 2018 (Jumping yes for (Phase 4) but getting educated on options for down the line)
 - i. Extending existing credits that are now in legislation
 - ii. Town Community Energy = more research for final phase/ best option for both towns/ Bridgewater (TM) will reach out to Halifax (TM)
 - d. Joint Project Path = (Swale/Bridgewater Parcel and Halifax Landfill)
 - i. DEP meeting May 4th 2018 / Internal meeting 5/17/18 (will provide follow up)
 - ii. Discussed = In-State Landfill lack of capacity and need for soils/ specifically Comm 97/ BUDS(as listed above) also discussed for site with lack of LF capacity
 - e. Support Letter Halifax BOH = (April 5th 2017) Addressing any benefits to The Town of Halifax

- i. MI would handle any "Host Fees" related to "Comm 97 Soils" brought into the project for the towns.
 - ii. Final Solar Array = Republic Services would be in charge of one full array and handle that end (at this time)
- f. Next Step = Path to "Town and State Permits"
 - i. Thoughts/Suggestions/Please Advise
 - ii. Approval for group email between the two towns(seeking permission form each party)
- g. The Board asked where the Board of Health goes from here.
 - i. Ms. MacDonald asked if the Board of Health was on board with what was presented at the meeting.
 - 1. The Board commented that they were on board with the project.
 - ii. Ms. MacDonald stated that once DEP also agrees, MacDonald Industries would come back and meet with the town. She stated that the Town Administrator should also be able to advise the Board of Health.
- h. The Board asked what types of materials are allowed.
 - i. Ms. MacDonald commented that it is DEP's job to determine what is allowed.
 - 1. The Board commented that they feel that a public hearing should take place and allow the towns people to decide what they want in the landfill.
 - a. Ms. MacDonald stated she will send to the Board of Health a copy of what Comm 97 soils DEP allows.
- i. The Board asked what will be put onto of the landfill to make it safe.
 - i. Ms. MacDonald stated that MacDonald Industries will be meeting with DEP soon and she would get back to the Board of Health with that information.

3. Disposal Works Permits:

a. **Ratify Agents Approval:**

- i. 443 Thompson Street.

A Motion was made to ratify the Agent's approval.

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

- ii. 264 Franklin Street.

A Motion was made to ratify the Agent's approval.

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

b. Recommended for approval:

i. 506 Plymouth Street:

1. Do grease tanks need a filter?

a. No, do not use filter on grease trap.

A Motion was made to approve subject to an increase in septic tank to 2000 gallon, remove primary filter in septic tank and have one (1) filter at outlet.

Motion: John Weber

Second: Alan Dias

Unanimous vote on the motion

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

i. 4 Richview Avenue:

1. Allow the use of a sieve test instead of Perc.

2. Allow a 3.0' separation from the bottom of the Prop. SAS and mottling instead of 5.0' required.

A Motion was made to approve subject to an increase in septic tank to 2000 gallon, remove primary filter in septic tank and have one (1) filter at outlet.

Motion: John Weber

Second: Alan Dias

Unanimous vote on the motion

4. Bring to Boards Attention:

a. 8 & 16 Cedar Street:

i. Building not be occupied, power was cut.

ii. Copy of Building Dept. letter sent to owner.

1. The Board discussed the fact that they were denied access to certain buildings/structures.

2. An Administrative Consent Order was going to be the next step, but the Board of Health, Building Inspector and Fire Chief were able to get an appointment with the owner(s) for access.

a. 8 & 16 Cedar Street:

i. The garage had a partially dismantled kitchen with a stove.

ii. There were two (2) other rooms within the garage.

1. Painted and plywood was on the floor.

a. Under the plywood was a drain and toilet.

i. No drainage or well permits were pulled with the town.

iii. For future use of building. All repairs/construction on the building/structure, owner(s) must work with the Building Inspector for full compliance.

- iv. The Board suggested that a “No occupancy” letter be sent to the owner(s).
- v. Abandoned garage with electricity.
 - 1. Power was cut to the garage and rear units.
 - a. It was agreed between all parties that nobody would be living in that building/structure.
 - 2. The wiring inspector cautioned the owner(s) on using a generator at the building/structure.
- b. 257A Wood Street Accessory Building: Was it determined when the monthly update letter is due at the Board of Health? If not, let’s define that.
 - i. The Board discussed the knowledge that the power was terminated to the access any building/structure and the issue of the commencement of the condemnation process if the accessory building is not brought into compliance by July 18, 2018 Board of Health meeting.
 - ii. The Board suggested that a letter be sent to the owner(s) and their attorney as a reminder of the condemnation commencement date discussed on April 04, 2018 and May 02, 2018.
- c. Old Colony Planning Council “You’re Invited” – Agent updated Board

5. Discussion Items:

- a. **Agent Report:** - Agent Updated Board
 - i. New management company for Halifax Meadows
 - ii. Infection control
 - iii. Food permits
 - iv. Complaint about people not cleaning up after dog, right next to pond
 - v. New nursing contract
 - vi. Condo sales and septic system questions
 - vii. Food permits picking up

6. The Following to be signed:

- a. **Payroll for the Week Ending May 26, 2018** - Board Approved and Signed.
 - i. Cathleen Drinan, Health Agent
 - ii. Margaret Selter, Administrative Assistant
 - iii. Brian Kling, Animal Inspector
- b. **Expense Account# 01-512 – FY 18-15** - Board Approved and Signed.
 - i. Cathleen Drinan – Postage Reimbursement – \$3.30
 - ii. WB Mason – Printer Toner – Invoice# I54656542 - \$95.94
 - iii. Harry B Harding – New Animal Inspector Business Cards - \$48.50
- c. **Revolving Account# 25-513 – FY 18-20** - Board Approved and Signed.
 - i. Webby Engineering– Invoice# 051618- Plan Review – 264 Franklin Street - \$85.00

- d. **Nursing Services Account# 01-522 – FY 18-12 - Board Approved and Signed.**
 - i. Norwell Visiting Nurse Association – Invoice# HBOH0418 – Nursing Services for April, 2018 - \$443.32
- e. **iPad Gift Account# 26-514-4830-02 – FY 18-09 - Board Approved and Signed.**
 - i. Cathleen Drinan – iPad Usage Reimbursement for March 2018 and April, 2018 - \$42.32.
- f. **Permits: - Board Approved and Signed.**
 - i. 264 Franklin Street – 2018 Drinking Well Permit.
 - ii. Halifax Beach (Richview Avenue/Eleventh Avenue) – 2018 Beach Permit (Memorial Day through Labor Day)
 - iii. Lingan Street Beach – 2018 Beach Permit (Memorial Day through Labor Day)
 - iv. Annawon Drive Beach – 2018 Beach Permit (Memorial Day through Labor Day)
 - v. Holmes Street Beach – 2018 Beach Permit (Memorial Day through Labor Day)
 - vi. Twin Lakes Condominium Beach – 2018 Beach Permit (Memorial Day through Labor Day)
 - vii. Outback Engineering – Tom Morris – 2018 Soil Evaluator’s Permit.
 - viii. Robert Bergstrom – June 10, 2018 Mudfest – Large Outdoor Event Permit.
 - ix. Cape Cod Wicked Good Kettle Corn – Jeff Paine – June 10, 2018 Mudfest Mobile Food Permit.
 - x. Nessralla Farm Concessions – Kozhaya Nessralla – June 10, 2018 Mudfest Mobile Food Permit.
 - xi. Jool’s Fried Dough – Julie Pemberton – June 10, 2018 Mudfest Mobile Food Permit.
 - xii. Mikes House of Pizza – June 10, 2018 Mudfest Mobile Food Permit.
 - xiii. 7-Eleven – June 10, 2018 Mudfest Mobile Food Permit.
 - xiv. DogHouseDog – 2018 Mobile Food Permit
 - xv. Andrews Bros Construction Corp. – 2018 Septic Installer’s Permit
 - xvi. Tom Morris – Outback Engineering - 2018 Soil Evaluator’s Permit

A Motion was made to approve permits i through Xv.

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

- g. **Mail Folder:**
 - i. **Zoning Board of Appeals:**

1. 395 Plymouth Street: Public Hearing Notice – Special permit to continue, alter and extend apartment/multi-family dwelling use.
 - a. Does the Board have any questions, comments or concerns? This item will be on the ZBA July 4th meeting.
 - i. **No, as long as it doesn't exceed the number of bedrooms.**
 2. 73 Hemlock Lane: Public Hearing Notice – Special permit renewal for in-law apartment.
 - a. Does the Board have any questions, comments or concerns? This item will be on the ZBA July 4th meeting.
 - i. **No, questions, comments or concerns.**
- ii. Planning Board – Board Read**
1. 443 Thompson Street: Public Hearing Notice – Seeking a Special Permit to allow a 2.33 acre retreat lot with 50 feet frontage.

Adjournment

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