

**WEDNESDAY, JANUARY 20, 2016**  
**BOARD OF HEALTH**  
**REGULAR MEETING**

Ms. Kinniburgh RN, Vice Chairperson, Ms. Johanne Oliveira RN, Mr. Nelson Almeida and David Viera.

At 6:30 PM Ms. Kinniburgh RN called the meeting to order.

**NEW BUSINESS**

**Accept with regret the resignation of Beth Hallal – Health Agent.**  
**Accept with regret the resignation of Raymond Grant – Chairman.**

Mr. Viera made the motion to accept with regret the resignation of Beth Hallal-Health Agent and Mr. Raymond Grant-Chairman, seconded by Ms. Oliveira RN and so voted unanimously.

**REORGANIZATION OF THE BOARD OF HEALTH**

**The Home Rule Charter states a chairman, vice chairman a clerk and other necessary officers annually.**

Ms. Kinniburgh RN asked for a motion to nominate the chairperson.

Mr. Viera made the motion to nominate Ms. Kinniburgh RN as Chairperson, seconded by and so voted unanimously so voted 3-0-1 with Ms. Kinniburgh RN abstaining.

Ms. Kinniburgh RN asked for a motion to nominate the Vice Chairperson.

Mr. Almeida made the motion to nominate Ms. Oliveira RN as Vice Chairperson, seconded by Mr. Viera, and so voted 3-0-1 with Ms. Oliveira RN abstaining.

Ms. Kinniburgh RN asked for a motion to nominate the clerk.

The motion for the Clerk has been tabled until the Board has more members.

Mr. Viera made the motion to table the clerk until the Board of Health has a full Board, seconded by

**Discussion regarding the FY16 annual disposal fee for 79 Back Street, Seekonk, MA – Propatier & Kempke.**

Ms. Anna McAuliffe-Propatier owns 29 Chestnut Street, the owner at 79 Back Street share the dumpster with Ms. McAuliffe, the Back Street address was not on the application and the Board of Health office was unable to grant the exemption.

Mr. Viera made the motion to grant the exemption for 79 Back Street, seconded by Ms. Oliveira RN and so voted unanimously.

Ms. Kinniburgh RN informed Ms. McAuliffe the Board is only granting \$157.29 and they will be responsible for the capping fee, demand fee and any interest.

**Discussion regarding the FY 16 annual disposal fee for 433 County Street – Hazel Enos**

Ms. Hazel Enos has had a dumpster for 23 years. During the renewal process Ms. Enos was away and when she returned she could not find the paperwork. She did contact her hauler for a new contract and by the time she received it, it was past the deadline.

Mr. Viera made the motion to grant the exemption for 433 County Street, seconded by Mr. Almeida and so voted unanimously.

Ms. Kinniburgh RN informed Ms. Enos the Board is only granting \$157.29 and she will be responsible for the capping fee, demand fee and any interest.

**Request for a variance from Title 5, 71 Donald Lewis Drive – Nadine Demty 15.211(1) Slab Foundation 10’.**

Ms. Demty is planning on adding a sunroom to here property. The foundation of the sunroom is within 4.5 feet of the septic tank. The previous health agent believed she would need a variance from Title 5 and Mr. Chenevert does not believe she would need a variance and is recommending approval of the sunroom. The addition must remain 4.5 feet from the tank. This will include any slabs for the stairway from the addition.

Mr. Viera made the motion to grant the variance request of 4.5 feet from the foundation to the tank for 71 Donald Lewis Drive, when the system is replaced it must be in compliance with Title 5, seconded by Mr. Almeida and so voted unanimously.

**Discussion with regarding Mr. Gary Sagar regarding a letter sent to the Board of Health on December 1, 2015.**

Ms. Kinniburgh RN informed Mr. Sagar that this was between you and the previous Health Agent and this person is no longer with us. I don't know at this time if this Board wants to get into this. This is not something that concerned us; this was between you and the previous agent.

Mr. Sagar informed the Board he was directed here by the previous agent. The question was regarding policy issue. I feel that I was disrespected and harassed by the previous agent.

Ms. Kinniburgh RN stated the former agent is not here to defend herself and we will not hear it.

Mr. Sagar stated that the Board has a huge image problem. The regulations do not go by State law.

Ms. Kinniburgh RN informed Mr. Sagar the Board is in the process of reviewing the all the regulations. We are trying to bring things into compliance. I don't think this is the time to go into whether or not we are in compliance with State Law.

Ms. Kinniburgh RN stated she does not feel this is the proper time. We are reviewing all regulations to bring them up to date. The health agent who replied to your letter is no longer here to defend herself or explain why she replied the way she did.

Mr. Viera stated he feels the issue was not dealt with properly and I know the individual is no longer here, I just want to make sure that we all agree that if an individual feels that their issue has not been dealt with properly by the agent, they feel they can come here to the Board of Health to address any issues.

Ms. Kinniburgh RN stated the problem being is we have been in the process of reviewing the regulations and redoing them. Some things are completely outdated and we know that, we have not approved anything yet.

Mr. Viera stated as soon as other individuals step up to the plate I will no longer be here. I want to make sure they are being treated fairly, and in their opinion whether the regulations are old or not they still need to feel comfortable coming to the Board of Health to get any issue clarified and straighten out. Just to say the rules and regulation are old.

Ms. Kinniburgh RN stated I am not saying we don't want to deal with them, we are in the process of reviewing them, come to the fact that we lost our Board. We have not had a full Board to deal with this.

Mr. Sagar stated with the agent leaving, it does complicate my appearance.

Ms. Kinniburgh RN stated it complicates things, you and she were going back and forth and the previous Chairman was also, I believe with some discussions. And that person is no longer here and the rest of the Board has been left in the dark.

Mr. Sagar stated it is not only the regulation but the policies.

Ms. Kinniburgh RN stated there were things being done behind closed doors and members were not aware of what was being done. And that is one of the things I want to make sure does not happen again. From now on, any place there is a conflict with the Health Agent, with someone coming into the Town Hall; I want the entire Board to know what is going on. Before Nelson and Dave came on the Board, Johanne and I were the only other two; we had no idea of certain things going on. It had put us at a distinct disadvantage not to know what was happening. We are not aware what the former Health Agent was doing or not doing and the previous chairman.

Mr. Sagar's concerns are the way the community and the business owners perceive the Board of Health and do not want to see another Beth Hallal as the Health Agent. In the percolation regulations nowhere does refers to a soil evaluator, only a registered engineer or a sanitarian. As for his letter dated December 1<sup>st</sup>, if there are policies and procedures he would like a copy of those.

Ms. Kinniburgh RN stated I want to see some changes made, I thought we were coming along; it is obvious that things did not come along as I thought they were.

Mr. Cadime stated his concern as the Administrator, [Mr. Cadime was inaudible].

Ms. Kinniburgh RN stated I want to make sure the full Board is aware of what is happening. So we are not walking into blindly, which makes it difficult for us to rule on things. If you would like to address a few of these things that you feel are not being done properly, I am fine with that, but I don't want to get into personal things with the previous Health Agent. Is that agreeable?

Mr. Sagar stated nowhere in the percolation testing regulations is the word soil evaluator appear. A register engineer or a sanitarian cannot do a perc test. They need the soil evaluator's license. The former agent had a policy for different people.

Ms. Kinniburgh RN stated do you have anything for 3.0 Septic Installers.

Mr. Sagar stated my letter of December 1<sup>st</sup>; I asked specific questions about policies and procedures. If there is a policy or procedure that answers my questions if you can provide me with a copy. His questions regarding the excavator, the answers were given by the third person, Ms. Curzake and Mr. Chenevert.

Ms. Curzake informed Mr. Sagar that we were given directives and if we did not do this then we would have been written up for insubordination. I will speak to Mr. Chenevert about the letter tomorrow. Do we agree with this no, but we did speak to Mr. Fisk about signing of the Certificate of Compliance we told him you take it, they cannot get another original. If they are selling the property they should be able to get paid. This is a big issue with Certificate of Compliance, these installer's don't want to sign until they have their money in their hands. You can't blame them.

Mr. Sagar wants to know how you can hold him hostage and use leverage against me, that is totally not wrong. According to my lawyer, I have a few ethics issues, but we need to move on and turn the page.

Ms. Curzake stated absolutely, that was one of the hardest things we had to do, neither one of us wanted to tell you.

Mr. Sagar agrees we were just the messengers.

Ms. Kinniburgh RN stated we will review these regulations again.

### **Discussion regarding the inspections of the Food Establishment inspections and the septic Inspections, percolation testing and approval of plans submitted.**

Mr. Chenevert asked me to put this on the agenda. As you know JR has been doing the septic inspection, the percolation testing and the approval of plans. Our issue is with food, the Town Nurse was previously licensed for a food establishment. Ms. Horsman was food safe certified and is willing to renew her food allergens and serve safe. We are wondering if you would appoint Ms. Horsman temporarily until a Health Agent is appointed.

Mr. Viera made the motion to appoint Ms. Jessica Horsman as temporary food inspector, with the pay of \$25.00 per hour, seconded by Ms. Oliveira RN and so voted unanimously.

## **Trench Permits for Percolation testing.**

Ms. Curzake informed the Board that Mr. Chenevert JR asked for this to be put on the agenda. We are asking the Board not to require a trench permit for percolation testing only. When the percolation testing is done this hole is not left alone and it is closed at the end of the day.

Ms. Oliveira RN made the motion that a trench permit is not required for the percolation testing, seconded by Mr. Viera and so voted unanimously.

## **CONSENT CALENDAR**

### **Consider approval of Regular Session Minutes of:**

- 1) December 9, 2016

Ms. Kinniburgh RN asked for the motion to adjourn to be corrected on the minutes.

Mr. Almeida made the motion to approve the minutes of December 9, 2015 with the motion to adjourn corrected, seconded by Ms. Oliveira RN and so 3-0-1 with Mr. Viera abstaining.

## **OLD BUSINESS**

There was no new business at this time.

## **BOH OFFICE REPORT**

- A. Septic Disposal Plans approved by the Assistant Health Agent
- |                    |                          |
|--------------------|--------------------------|
| 380 No Wheaton Ave | Texas River Realty Inc.  |
| 120 Fairway Dr     | James Plugh & Robin Back |
| 157 Arcade Ave     | Glenn Larrabee           |
| 75 Holly Drive     | Jeff Correia             |
| 344 Olney St       |                          |
| Gerald Perry       |                          |
| 375 Ledge Rd       | Amy & Randy Bradshaw     |
| 30 Antonio Dr      | Costa Development        |
| 8 Eleanor Dr       | Michael Toole            |
| 20 Watson St       | Patricia Morrison        |
| 21-23 Bourne Ave   | Richard Hucke            |
| 246 Cross St       | Jeffrey Seyboth          |
| 89 Walker St       | Sang Park                |
| 141 Willis Ave     | Kenneth & Erika Jensen   |
| 135 St Laurent St  | Robert & Maureen Mcardle |
| 51 Turnstone Ln    | Paula & Edward Paluch    |
| 42 Drohan Ct       | Steven Dippolitto        |
| 14 Melaine Circle  | Robert Vaillancourt      |

## **EDS Contact List**

Ms. Curzake informed the Board that the Town Nurse is looking to update the EDS contact list and I will give their e-mails to her to contact the Board.

### **Blood Pressure and Glucose Screenings at Human Services**

The Town Nurse performed a blood pressure and glucose screening at human services. She will be reaching out to the commons and possibly the library for upcoming screenings.

### **Primarily and Definitive Plans of Subdivision**

Ms. Curzake asked if the Board wishes to see the primarily and definitive plans of subdivisions the previous Board did not want to see these.

The Board wishes to see all primarily and definitive plans of subdivisions.

### **Resume for the Health Agent position**

The Board has been given the resumes that were received by the office. Mr. Viera asked Ms. Curzake to send a letter to the applicants.

### **COMMUNITY SPEAKS**

At this time there was no community speaks.

### **BOARD CORRESPONDENCE AND COMMENTS**

Mr. Viera stated we will need to speak to Mr. Alexander regarding the reserve fund transfer and inform the finance committee as soon as possible of the shortage in the payroll line for the senior secretary.

At 8:04pm Mr. Viera made the motion to adjourn, seconded by Mr. Almeida and so voted unanimously.