

The meeting was called to order at 6:06 p.m, by Chairman, Sherry Berger. Also in attendance were; Member, Richard Desjardins; Member, Al Holman, and Asst. Public Health Supervisor, Diane Tiernan.

6:06 p.m., Selectmen Ken Picard and Jim Brouchu arrived.

**Motion one** – Al made a motion to approve of the minutes from the previous meeting held on 11/8/12. Richard seconded the motion, and Sherry made the motion unanimous. Minutes were approved.

Vouchers were signed.

A septic system design was reviewed for lot 38 Farrar Road, Bento Pinto.

**Motion two** - Richard made a motion to approve of the septic design and Al seconded the motion. Sherry made the motion unanimous. Design was approved.

Board reviewed information from Shirley Smith of Mendon, who is protesting the chemical use of pesticides by the Central Mass. Mosquito Control Program. She is suggesting that the town of Mendon should not participate in the program and wanted to update Upton on the negative aspects of the pesticides. Board will keep the information on file.

Diane stated she was approached by a former distributor whom the town used to purchase trash bags. The company has quoted a price for the bags at a significant reduction of our current cost. Diane stated she had problems with this company in the past, but they claim they have resolved all their issues. Board stated we should accept their quote on a trial basis. Al suggested we switch colors of the bags, which will help us determine what supplier sold the bags if we have any problems. Diane stated she will make the next purchase through the new distributor.

Sherry asked why we were no longer receiving monthly reports from the animal control officer. Diane stated she is unsure, but will contact the officer.

Diane discussed with the Board a request for an additional bedroom at 25 Mendon Street. The house is too old to have any records on the septic system. The owner, Ken Tripp, did supply the office with a statement from an engineer, which states the septic system can handle a minimum of three bedrooms. Ken states even with the additional bedroom the house will only have two bedrooms. He stated he is experiencing a hardship, that his wife can no longer go upstairs so he needs to put the bedroom downstairs. Diane stated that the tax office shows the house is a four bedroom, but Mr. Tripp stated it's incorrect. Board stated we should make a visit to the house and if the house will be no more than 3 bedrooms, to sign his building permit.

6:48 p.m. Jon Deli Prescoli arrived at the Boards request.

Sherry stated we are aware the vacuum lines have been insulated, is the insulation complete? Jon stated the portion next to the houses on Depot Street has been completed. He stated the ambient noise in the neighborhood has dropped because he improved the railroad crossings on Maple Avenue.

Al stated we know the noise from the vacuum lines has been reduced quite a bit due to the insulation and the Board is appreciative of the efforts. The Board would like to look at the pumps/engines on the top of the silos to see if those can be housed to reduce the noise somehow. Unfortunately, as the ambient lowers, the noise of the equipment is louder. Jon feels the noise the neighbors are hearing is from the pumps out back, but he is willing to look at both areas and do whatever is necessary. Jon wanted to remind the Board that the area is an industrial area. Sherry stated that on a previous visit to the rail yard, Michael Polselli discussed the idea of building a cinder block wall around the pumps. Jon stated yes, that's an option, we have the material on hand. Board and Jon agreed to do a site visit at the rail yard to try and determine where most of the noise is being generated from and to see if a resolution can be made. Jon stated he would be away from 12/25 to 1/6, and can meet with the Board upon his return.

Al also wanted to discuss the newest complaint referring to idling trains. Jon stated the trains are not idling. The best way to deal with this issue is to see how the operation of the trains is performed. He has suggested to Blythe that a volunteer from the town ride with the crew and see what's involved in running the trains, there is so much. Richard stated he has been there twice for idling train complaints. The trains did move though, and he knows even if the train doesn't move much, if its moving, it's not idling. Jon stated there can be delays when the cars are moved. FRA will tell you if the crews are there, the trains are moving. There is never a running train without a crew member on hand. The trains are parked in Grafton. Jon stated there are idling trucks throughout Upton that no one complains about. We can't pay a man to keep shutting the trains and restarting them. The trains have never been left running for four hours, ever. Jon stated just for the record, if the temperature is 40 degrees or below you can run the trains as long as you want, that's the law. We don't though, he can't afford to keep the trains running, the fuel is too expensive. He would very much like to have someone come and see what goes on with the cars. He would like to be able to relocate the cars away from the neighbors, but he hasn't been able to build up the yard and it makes switching the cars difficult. The complaints create roadblocks, and end up being counterproductive. The railroad is not going anywhere, his business is growing bigger.

Board stated when they make the visit with him during the week of the 7th they will look at the idling issue as well as the noise.

Sherry asked Jon what is happening with the Grove Street project. Jon stated he has finished with the project and will be moving his equipment out. He'll be bringing in loom next week and filling in the open pit. Jon stated that he will be putting up for sale approx. 1.5 acres of that area.

Jon stated the State has taken over the passenger trains and they will have priority over commercial trains, which means that the commercial trains will be operating at night more often.

Sherry asked about the conditions of railroad ties. She noticed some were in disrepair while walking. Jon stated the tracks are inspected by the track inspector. Their normal life span is 40 years. A track needs four good ones for every 36 ties.

Robert Groth of 109 Glen Avenue asked if he could address the Board. Sherry granted permission to do so. Robert stated he remains optimistic for a reduction of the noise from the pellet operation. He lives southwest of the plant about a ½ mile away. He noticed that when the pellet plant is running it's very loud. The bulldozers, trucks, and trains do not bother him. Wherever the noise is coming from, if Jon could find the most aggressive area and work on it that would be great. If you can contain some of the noise, it would go a really long way.

Jon stated he has no intention of disrupting anyone's life. Richard stated he was at Roberts's house with the noise meter. He aimed it in several different directions, but when he aimed it in the direction of the rail yard; he got the higher readings, although not over the limit. Robert stated the area is very quiet and peaceful, because it's so quiet the noise is very loud. For some reason it projects the noise. He hears the whistle of course, he doesn't mind that. Jon stated he has always had a good working relationship with the town and wants to continue with it. There's got to be a solution. Jon suggested Robert accompany the Board during the week of the 7<sup>th</sup>. Diane stated she would contact Robert with a date and time.

7:35 p.m., Board thanked Jon for coming and he left.

**Motion three** - Sherry made a motion to adjourn and Al and Richard seconded the motion. Meeting was adjourned at 7:37 p.m.

Respectfully Submitted,

Diane Tiernan, Asst. Public Health Supervisor