

MEETING MINUTES BOARD OF HEALTH APRIL 17, 2013

MEMBERS

Present: Mr. Frank DeFelice, Chairman
Mr. Glenn Monterio, Member
Amy Wiegandt, M.D., Member
Mr. Robert E. Brady, Associate Member

Mr. Robert M. Ethier, Health Agent

Absent: Ms. Catherine Phinney

PUBLIC HEARINGS

Chairman, Frank DeFelice opened the meeting at 4:00 p.m.

4:00 p.m. – Signing of previous minutes.

The minutes were approved and accepted for April 3, 2013.

On a motion of Dr. Wiegandt and second by Glenn Monterio, a motion was made to accept the minutes of the meeting held on April 3, 2013.

4:05 p.m. 3 – 5 Apple Street, Gomes- Order to Appear

Code Enforcement Officer, Mr. John Viveiros ordered Mr. Gomes before the Board due to violations to the State Sanitary Code “Chapter II” Minimum Standards of Fitness for Human Habitation. Mr. Gomes did not appear. An Order to Correct was sent to Mr. Gomes on January 28, 2013. A re-inspection was conducted on March 18, 2013 where violations were still pending. Health Agent, Robert Ethier will order Mr. Gomes to appear in District Court.

On a motion of Dr. Wiegandt and seconded by Mr. Monterio, the Board voted to order Mr. Gomes to appear in Wareham 4th District Court.

4:10 p.m. 9 Standish Avenue, Mildred D. Hurst- Order to Appear

Code Enforcement Officer, Mr. John Viveiros ordered Ms. Mildred D. Hurst before the Board due to violations to the State Sanitary Code "Chapter II" Minimum Standards of Fitness for Human Habitation. Ms. Hurst did not appear.

On a motion of Dr. Wiegandt and seconded by Mr. Monterio, the Board voted to order Ms. Hurst to appear in Wareham 4th District Court.

Old Business

1. 215 Glen Charlie Road- Continued from April 3, 2013. CSN Engineering submitted a variance request not to design for an extra bedroom and not to install an alternative system. The Board granted the variance requests with the following conditions: 1. A deed restriction is filed with Plymouth County Registry of Deeds limiting the dwelling to three (3) bedrooms. 2. The deed restriction is noted on the as-built.
2. Water Quality Protection Regulation- Mr. Brian Grady of G.A.F. Engineering, questioned the options for the infrequent use of homes and alternative systems. Mr. Brady will return on May 1st with the plan in question.
3. Proposed Housing Regulations- The Board agreed to make changes to the following proposed housing regulations:

#3 Responsibility of Notification- No person shall allow occupancy of any dwelling without first notifying the occupant(s) at the time of such occupancy of this chapter **Change to:** No landlord shall allow occupancy of any dwelling without first providing a copy of said regulation.

4 Certificate of Registration (b) The Board of Health shall pursuant to the above subsection, issue a Certificate of Registration, which shall be renewed each year. The Certificate of Registration is not transferable. A change in ownership requires a new registration. **Changed to:** The Board of Health shall, pursuant to the above subsection, issue a Certificate of Registration, which shall be renewed each year (see #8). The Certificate of Registration is not transferable. A change in ownership requires a new registration.

#5 Posting of Certificate of Registration **Change to:** Certificate of Registration

#6 Keeping of Register- The owner(s) shall be responsible for keeping a register containing all names of current occupants in the dwelling. The register shall be made available to the Board of Health, a health inspector, a police officer, or the town building inspector. **Change-** Delete entire regulation #6 .

#10 Storage and Removal of Rubbish, Garbage, and other Refuse. Typo is fight-fitting covers. Change to tight-fitting covers.

#13 Violations and penalties. (a.) Any person who violates any requirements of this chapter shall be subject to a fine not to exceed \$300.00. Each day of continued violation may be deemed to be a separate offense. **Change to:** Any person who violates any requirements of this chapter shall be subject to a fine not to exceed \$300,00 as directed under the State Sanitary Code, "Chapter II" Minimum Standards of Fitness for Human Habitation. Each day of continued violation may be deemed to be a separate offense.

4. Variance Request Fee- A question regarding the fee for the request of a variance to waive the Water Quality Protection Regulation. All other variance requests are \$150.00 except for in-house variances are \$50.00. The Board agreed all variance requests be charged the same fee with the exception of the in-house requests which will remain \$50.00
5. County Road Recycling- The Board will order Mr. Brier to appear at the May 1st hearing.

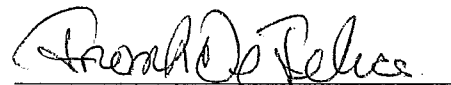
New Business

1. Title 5/Barnstable County Website- www.learntitle5.org
2. Potential Future Topics- a. Storm Water Run Off
b. Residential Ban of Fertilizer

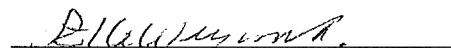
Dr. Amy Wiegandt, moved to close the meeting. Seconded by Glenn M. Monterio. Meeting adjourned at 5:40 p.m.

Respectfully submitted: Suzanne Burke, April 25, 2013.

Signed and dated: 5/1/13


Frank DeFelice, Chairman

Glenn Monterio, Member


Amy Wiegandt, M.D., Member