

**MEETING MINUTES
BOARD OF HEALTH
JUNE 19, 2013**

MEMBERS

Present:

Mr. Glenn M. Monterio, Member
Amy Wiegandt, M.D., Member
Mr. Robert E. Brady, Associate Member
Catherine Phinney, R.N., Associate Member

Mr. Robert M. Ethier, Health Agent

Absent: Mr. Frank DeFelice, Chairman

PUBLIC HEARINGS

Dr. Wiegandt opened the meeting at 4:00 p.m.

4:05 p.m. Minutes to be reviewed and signed at the July 17th meeting.

4:10 p.m. 3187 Cranberry Highway, Order to Appear- Canceled

4:15 p.m. 38 Algonquin Street, Order to Appear- Canceled

4:20 p.m. 1 Spruce Street, Order to Appear-

The Board of Health conducted an inspection that revealed violations to the State Sanitary Code "Chapter II" Minimum Standards of Fitness for Human Habitation had not been corrected. Ms. Janine Sewall of 43 Blissful Lane was ordered to appear. Ms. Sewall nor her attorney appeared. Health Agent, Robert Ethier will file in 4th District Court.

4:25 p.m. 2360 Cranberry Highway, Cumberland Farms- Order to Correct

The Board of Health conducted an inspection on May 13, 2013 on property located at 2360 Cranberry Highway and found violations to the State Sanitary Code "Minimum Standards of Fitness for Human Habitation" regarding failure to provide an adequate system. The

condition is not protective of the safety, health, and environment. Notice to appear was sent to Mr. Mark Souza, Director of Facilities Management. Mr. Souza nor his attorney appeared. Health Agent, Robert Ethier will contact Mr. Souza to meet compliance and will update the Board at the next meeting.

4:30 p.m. 24 Cleveland Avenue, J.C. Engineering- Variance to State & Local Regs.

Mr. Brad Bertello of J.C. Engineering approached the Board with the following variance requests accordance with 310 CMR 15.211 and 15.212:

1. A 3.9' variance (10.0'-6.1') for the setback from the proposed septic tank to the garage foundation.
2. A 3.5' variance (10.0'-5.7') for the setback from the proposed pump chamber to the garage foundation.
3. A 0.9 variance (10.0'-9.1') for the setback from the proposed leaching facility to the garage foundation.
4. A 4.0' variance (10.0'-6.0') for the setback from the proposed leaching facility to the rear property line of Lot 1002B on Map 5.
5. A 2.0' variance (4.0'-2.0') for the separation between the leaching facility and estimated seasonal high groundwater.

A variance is requested from local regulations:

1. A variance from designing for an additional bedroom.

On a motion of Mr. Monterio and seconded by Dr. Wiegandt, the Board voted to grant the variances.

Health Agents Report- Health Agent, Robert Ethier reported to the Board, an oil leak at 48 10th Street, Onset was reported. The Department of Environmental Protection has been contacted and Mr. Ethier will update the Board upon completion of the cleanup.

Old Business-

1. 260 County Road- The Board of Health did not receive the \$500.00 fine issued to Mr. Brier regarding 260 County Road. An Order to Appear will be issued to Mr. Brier to appear before the Board at the July 17th meeting.
2. Mill Pond Diner- Case is appearing before the magistrate. Tank is still being monitored and pumped on a daily basis.
3. Board of Health Regulations- Dr. Wiegandt would like to continue updating the B.O.H. Regulation Handbook. As soon as time allows, Dr. Wiegandt would like to schedule the next regulation for review.

New Business-

1. Mr. Ethier introduced Mr. Richard Johnson to the Board. Mr. Johnson replaced Mr. David Flaherty as the Health & Food Inspector.

2. Beach water testing has begun for all town and private swimming waters. Briarwood, East Blvd., North Blvd. were closed after testing and were re-tested today, June 17th. The results will be in tomorrow. Mr. Ethier spoke of the “no dogs on the beach” regulation.
3. Mr. Ethier reported he would be working on motel inspections.
4. Dr. Wiegandt discussed Hurricane Season. Mr. Ethier responded he is part of the Emergency Planning and the Board of Health will help with plans on natural disasters and the police will manage the shelters.

Member, Dr. Wiegandt moved to close the meeting. Seconded by Mr. Monterio. Meeting adjourned at 4:50 p.m.

6:00 p.m. PUBLIC HEARING- RENTAL PROPERTIES

Dr. Wiegandt opened the hearing at 5:00 p.m.

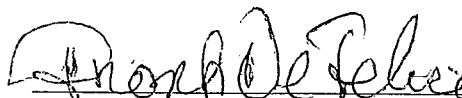
Board members were present to allow the public an opportunity to present oral testimony to the notice given of the proposed promulgation of regulation “Rental Properties”. The proposed regulation described is promulgated under the authority of MGL 111, Section 31.

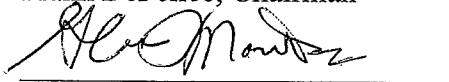
Roughly fifty residents were in attendance to voice their concern on the proposed “Rental Property” regulations. Concerns included: the \$100.00 annual fee, registration procedures, good landlords vs. not so good landlords, yearly inspections, Section 8, public housing, insurance, keeping rents affordable, and the unfairness of landlords having to pay another fee. After lengthy discussion, the Board decided to take all residents concerns into consideration and further review the regulation.

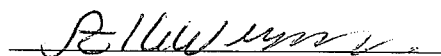
Dr. Wiegandt moved to close the public hearing. Seconded by Mr. Monterio. Meeting adjourned at 6:40 p.m.

Respectfully submitted: Suzanne Burke, July 10, 2013.

Signed and dated: _____


 Frank DeFelice, Chairman


 Glenn Monterio, Member


 Amy Wiegandt, M.D., Member