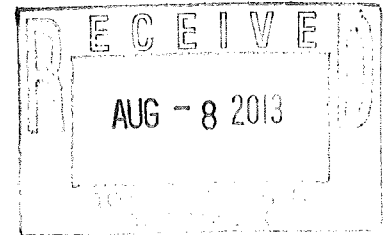


**MEETING MINUTES
BOARD OF HEALTH
JULY 17, 2013**



MEMBERS

Present: Mr. Frank DeFelice, Chairman
Mr. Glenn M. Monterio, Member
Amy Wiegandt, M.D., Member
Catherine Phinney, R.N., Associate Member

Mr. Robert M. Ethier, Health Agent

Absent: Mr. Robert E. Brady, Associate Member

PUBLIC HEARINGS

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

4:00 p.m. - Signing of minutes.

The minutes were approved and accepted.

On a motion of Dr. Wiegandt and second by Chairman DeFelice, a motion was made to accept the minutes of the meeting held on June 19, 2013.

4:05 p.m. 2889 Cranberry Hwy., Sunoco Tobacco Violation- Order to Appear

The Board of Health received documentation from Cape Cod Tobacco Control stating on June 20, 2013, Sunoco Gas Station personnel were observed selling tobacco products to persons under the age of 18. Mr. Joseph Youssef approached the Board and stated all persons purchasing tobacco will be required to show identification.

On a motion of Dr. Wiegandt and second by Mr. Monterio, a motion was made to fine Sunoco \$100.00.

4:10 p.m. New England Farms, Tobacco Violation- Order to Appear

The Board of Health received documentation from Cape Cod Tobacco Control stating on June 20, 2013, New England Farms personnel were observed selling tobacco products to persons under the age of 18. Mr. Eric Roselund, Director of Operations approached the Board and stated all persons looking under the age of 37 will now be required to present identification.

On a motion of Dr. Wiegandt and second by Mr. Monterio, a motion was made to fine New England Farms \$100.00.

4:15 p.m. HI LO Gas Station, 3199 Cranberry, Tobacco Violation-Order to Appear

The Board of Health received documentation from Cape Cod Tobacco Control stating on June 20, 2013, Hi Lo Gas Station personnel were observed selling tobacco products to persons under the age of 18. Mr. George Ghazal, manager and Ms. Christina Fares, owner were present. Ms. Fares apologized to the Board and stated they will discuss this violation with all employees and come up with a solution to prevent any further violations. Mr. Robert Collette of Cape Cod Tobacco Control offered his assistance and encouraged the manager to contact him if the company needs any educational assistance in the prevention of selling to minors.

On a motion of Dr. Wiegandt and second by Mr. Monterio, motion was made to fine Hi Lo Gas \$100.00.

4:20 p.m. 15 Blackbird Avenue, J.C. Engineering- Variance to State and Local Regulations

The following variances are requested from the Town of Wareham, Board of Health Regulations. No state variances are being requested.

1. A variance from having to provide a nitrogen reducing alternative system, which meets a rolling annual average total nitrogen (TN) effluent limit of 19 milligrams per liter or less pursuant to the Town of Wareham Water Quality Protection regulation.
2. A variance from designing for an additional bedroom.

The proposed leaching facility will be located approximately 315 feet from Glen Charlie Pond, and will be approximately 26 feet above groundwater. Also, the proposed leaching facility will be located down gradient of Glen Charlie Pond. Once the septic system effluent reaches groundwater, the groundwater flow is southerly and away from Glen Charlie Pond.

On a motion of Dr. Wiegandt and second by Mr. Monterio, motion was made to grant the variances.

4:25 p.m. 2329 Cranbery Highway, Flaherty & Stefani- Variance to Water Quality

Mr. Flaherty is requesting a variance to allow an upgrade of a failed leach pit for a three-bedroom home with existing town water. The variance requests are as follows:

1. Locus Property- To allow the home owner to install their proposed SAS 350 feet.
2. Allow the SAS to be sized for the actual number of bedrooms (3) rather than designing for one additional bedroom.

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

4:30 p.m. Cape Cod VNA Contract Renewal

Health Agent, Robert Ethier spoke in behalf of Cape Cod VNA. The Visiting Nurse Association of Cape Cod, Inc. has submitted their contract for signature/ acceptance from the Wareham Board of Health. Mr. Ethier discussed the contract and the Duties of the Agency, Duties of the Town and Mutual Duties/Agreements between the Visiting Nurse Association and the Town of Wareham. Board members agreed to continue with the services and signed the contract.

On a motion of Dr. Wiegandt and seconded by Mr. Monterio, the Board voted to continue the services with the Cape Cod VNA for 2014.

4:35 p.m. BOH Members – Discussion

Associate Member, Mr. Robert Brady notified the Board of his resignation effective July 10, 2013. Questions were presented by the Board of Selectmen on the alternative of having a three-member board vs. a five member Board. After discussion, Board members decided to continue with the three member Board. Selectman, Peter Titlebaum will contact town counsel on the legality of an associate member voting in the absence of a member.

Old Business-

1. **Rental Properties-** Selectman, Judith Whiteside approached the Board to advocate in favor of the "Chapter II" Housing Rental Property Inspection Program. Town Administrator, Derek Sullivan discussed the financing of the program. Resident and property owner, Winna Dean spoke in support of the program. After lengthy discussion between Board Members, Code Enforcement Officer, Mr. John Viverios, Selectmen, and the Town Administrator, the Board

agreed the implementation of the program is going to be the toughest job in the launching this inspection program. Dr. Wiegandt spoke strongly about the necessity of having all rules and regulations in place before it gets off the ground. Board members will continue to research and Rental Property Regulations will be placed on the August 7, 2013 agenda.

On a motion of Dr. Wiegandt, and second by Chairman, Frank DeFelice, the Board voted to draft Board of Health "Rental Property Rules & Regulations" starting with a \$100.00 registration fee to begin in September, 2013

2. **260 County Road-** Victor Brier paid his \$500.00 fine. No further complaints have been filed by Mr. Brier's neighbors.

New Business-

1. Associate Member, Robert Brady resigned effective July 10, 2013. Question of Mr. Brady's official resignation was discussed. Mr. Ethier will contact Mr. Brady to ensure the proper paperwork has been submitted.

Member, Glenn Monterio moved to close the meeting. Seconded by Dr. Wiegandt. Meeting adjourned at 6:20 p.m.

Respectfully submitted: Suzanne Burke, August 6, 2013.

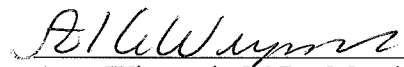
Signed and dated: 8/7/13



Frank X. DeFelice, Chairman



Glenn M. Monterio, Member



Amy Wiegandt, M.D., Member