

Board of Health Minutes
July 11, 2012

The meeting was called to order at 7:30 p.m. present were Tom Klem, Chair, members Cynthia Hill and Michael Bean, M. D. Also present were Julia Junghanns, Director and Patti White Department Assistant.

7:30 p.m. Public Comments - L Segal Aqueduct Rd....member of Wayland wells, with Tom Sciacca, and Kurt Tramposh (waylandwells.com) regarding Nstar matter, she had documents regarding pesticides. Linda lives near Dow Chemical property, she organized a neighborhood action group to check the property...discovered positive pollution, worked with DEP and used grant money to get the work done, it was a Tier 1A site, which is now clean. She got the Raytheon cleanup underway and has been involved with the PIP program for that property.

7:40 p.m. 12 Decolores Drive- New Wampum Realty for owner- Deed Restriction for 2 bedroom. Ken Chase is asking to finish the basement with a family room, playroom and full bath. The unit presently has 6 rooms with 2 full baths in the 2nd floor and ½ bath on the first floor. Concerns were raised about a full bathroom in the basement.

TK: Motion for approve a 2 bedroom Deed Restriction at 12 Decolores Drive excluding the shower in the proposed basement bathroom . MB second vote 3-0

7:50 p.m. Health Director Performance evaluation.

The health director is to be evaluated by the board regarding her performance for the past year before she is processed for her contractual step raise for FY13. The Board members will be submitting their comments to the Chair of the Board and he will be composing a compiled comment to present to the HR director for her completed review.

The Town administrator needs to submit an evaluation of the Director of Public Health performance for her first year. Reference town code section Wayland Town Bylaw 60.2.2i

The Board drafted a letter to the Town Administrator:

July 11, 2012

Dear Mr. Turkington:

The Board of Health requests your feedback on the performance of the Public Health Director pursuant to Town bylaw Chapter 60 Section 2.2i. Please provide this feedback by the next BOH meeting on Monday July 16, 2012.

Sincerely,

Thomas Klem
On behalf of the Wayland Board of Health

There was a discussion when Julia updated the Board regarding the chemical mixing problem at the Wayland Community Pool the past Sunday morning. The pool staff contacted the Fire Department regarding the chemicals, when they arrived and realized they could not properly handle the situation, the State Hazmat response team was called in to clean up the problem. The Board would like to have the Pool President attend a BoH meeting to discuss with the Board regarding the handling of the pool chemicals.

8:20 p.m. N star discussion regarding easement area in Oak Hill Rd./ Meadowview Rd. neighborhoods. As per a letter from Nstar, herbicide will not be applied this year, but they are planning to do the treatment next year. Roundup type products are not allowed in a well Zone 1 area, but there are no bylaws outside that area. The cape has passed bylaws and/or has taken action to somehow prevent herbicide use by Nstar.

16 Oak Hill Rd. is trying to upgrade their failed septic system and due difficult site conditions of steep topography in the backyard and wetlands the only area on the property for the septic system would be in the front of the property which is in the Nstar easement area. There is also a second property in the neighborhood, that has a septic system in the Nstar easement area and they are concerned as to what will happen when they need to replace their septic systems in the future.

Draft letter to Nstar to support the resident's need to repair his septic system, consideration should be made regarding the difficult site conditions.

Second letter to FT requesting that Town Counsel Mark L. review the easement language of the N star documents regarding underground structures, as this is a Town issue regarding property values if the septic systems cannot be replaced.

Board draft letter:

Dear Mr. Turkington:

As you are aware, the ongoing tree clearing project by Nstar has had a wide impact on the citizens of Wayland. One of the impacts discussed at the BOH meeting on July 11, 2012 was the effect of the Nstar easement boundary regarding the restriction of septic system repairs at 16 Oak Hill Rd. As the easement area undoubtedly includes many private septic systems across multiple neighborhoods, it has become clear to us that this has a potential to impact future town tax revenue.

We wish to request that Town Counsel examine the legal language of the easement document as pertains to underground structures. The Board requests a written response from Town Counsel prior to Wednesday July 18th.

CC: Board of Assessors

CC: Board of Selectmen

The bills have been approved.

The Director's report has been reviewed.

There was a discussion regarding Administrative Assistant Patti White's hours' being reduced from 35 to 28. Patti will not in BoH office on Wednesday's going forward. This effects continuity in the Health Department as a different staff member from another department fills in on Wednesday's and preparation needs to be done prior to Wednesday each week and then catch up on Thursdays. Patti is looking for work hours through the HR department to make up for the 7 hours, however has been advised there are no hours available at this time. There was a discussion regarding the history of this issue which has been going on since 2008 when her hours were bumped by a senior SEIU union member reducing her hours from 35 to 28. Up until now, Patti has been able to fill in hours by working for different departments (including BOH during times when Senior Clerk Position was vacant) since that time. Patti White attempted to bump another member's hours and was denied. She filed a grievance with the Town which was denied by the Selectman, she will be going to Arbitration in September.

The board has had an in-depth discussion regarding the ongoing septic pumping at 125 Dudley Road. The Board of Health has paid \$14,000.00 spent on pumping for the past 12 months, this money has been recorded as a lien on the property. The Board would like to pursue resolving this matter and get advice from Town Counsel on what should be done. The situation is complicated now by bankruptcy of the owner. The Director will be meeting with Town Counsel to discuss next steps.

TK: Motion to approve minutes of May 11, 2011 and May 24, 2011 as written second MB vote 3-0 all in favor.

TK: Motion to approve June 25, 2012 as amended second CH vote 3-0 all in favor.

9:40 p.m. TK: Motion to adjourn second MB vote 3-0 all in favor

**Respectfully submitted
Patti White
Department Assistant
07112minutes
Approved081312**