



BOARD OF HEALTH

# TOWN OF WESTBOROUGH MASSACHUSETTS

FORBES MUNICIPAL BUILDING  
45 WEST MAIN STREET, SUITE 25  
WESTBOROUGH, MA 01581-1916

TEL. (508) 366-3045  
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## BOARD OF HEALTH MONTHLY MEETING

Tuesday  
July 16, 2013  
Forbes Municipal Building, Room 24  
5:30 p.m.

## AGENDA

1. Minutes of Meeting (6/11/2013)
2. Director's Report (June)
3. Sanitarian's Report (June)
4. Health Inspector's Report (June)
5. Old Business

5:45 p.m. - Wayside Mobile Park - septic system/sewer connection

6. Director's Issues
7. Adjourn



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## Minutes of Board of Health Meeting July 16, 2013

The regular Board of Health meeting was held on Tuesday, July 16, 2013, in room 24 in the Forbes Municipal Building, 45 West Main Street. The meeting was called to order at 5:35 pm. by Chairman Ehrlich. Present: Members Walsh, Federici, Director McNulty, Sanitarian Baccari and Inspector Gilchrist. Bills and payroll were signed.

Minutes of the meeting held on June 11, 2013, were approved.

Director's report (June) was discussed and approved.

Sanitarian's report (June) was discussed and approved.

Health Inspector's report (June) was discussed and approved.

### Old Business

**At 5:45 p.m.**, the Board prepared to meet with Paul Dorr, President of the Turnpike Cooperative, located at 165 Turnpike Road to discuss the progress of the mobile home park's sewer connection to the Town's sewer system.

At the Board's last meeting with Mr. Dorr on May 21<sup>st</sup>, there was some confusion as to whether Mr. Dorr had the approval from the cooperative to sign the contract for the sewer connection and how it was going to be funded. Mr. Dorr was instructed by the Board to go back to the members of the co-op for clarification and report back to the Board at this meeting.

Mr. Dorr provided minutes of a membership meeting that was held June 6, 2013. Chairman Ehrlich summarized the minutes for the record (copy attached). A vote was taken by written ballot by the general membership at that meeting. The motion to accept, ratify, and approve the contract with Northboro Septic passed with 80% approval. Mr. Dorr also provided a signed contract with Northboro Septic Service dated June 7, 2013 that was issued to the Turnpike Park Cooperative. The total construction cost estimate was \$627,276.00. Also provided was a letter from TD Bank indicating assistance and support in finding financing for the project.

Mr. Fred Forte, a resident of the mobile park, said there was no discussion or approval of financing at the meeting. There was no contract presented.

Chairman Ehrlich read the minutes for clarification. Mr. Forte said the minutes were incorrect.

A resident of the mobile park said there was a special meeting to discuss the water and sewer connection, but there was no financial discussion. The vote is not correct

In response to a question from Chairman Ehrlich, Mr. Dorr said a majority vote is needed for approval.

Joe Paladino, a resident of the mobile park, said there was a meeting to discuss the project, but there is no way we can come up with that amount of money.

Member Walsh asked who has the authority to deal with the negotiations with the contract?

Mr. Forte said he didn't know who has authority. The terms of all the officers of the Turnpike Park Cooperative had expired.

Director McNulty said the Corporations Division of the Secretary of the Commonwealth has on file that the terms of the Board of Directors expired on November 30, 2012. The by-laws on file indicate that an annual meeting is to be held in September of every year. Was a meeting held this year and officers elected?

Mr. Dorr said there were two meetings scheduled but postponed. According to the by-laws, the officers have to continue in their positions until the election could be held or they are appointed.

Mr. Forte said there was no meeting held and no elections are scheduled.

Chairman Ehrlich said there are obviously issues internal to your organization that you have to work out. The issue before the Board is whether or not the Turnpike Park Cooperative is going to proceed with a plan for sewer connection. The Board has been presented at this meeting with minutes of a meeting where a vote was taken to authorize approval of a contract, along with a signed contract and evidence that Mr. Dorr is attempting to get financing. What is presented here to the BOH is what the Board asked for. The residents will have to go before a judge if they believe there have been improprieties; the Board does not have the authority to make that determination. Regarding the contract, he said he needs to know when the funds will become available. If there are changes in the cooperative and the contract is rescinded, the Board needs to know that as soon as possible.

Member Walsh encouraged the residents to get copies of the contract and read it. If this is something that you feel you can't proceed with, we need to know as soon as possible.

Mr. Dorr said the majority are in favor and we are going forward.

Bruce Forrestall, a member of the association, said there are no funds available for the project.

Mr. Forte said he would like to see a copy of the contract.

Chairman Ehrlich said all documents presented here tonight are public records. The Board of Health will provide copies.

Mr. Dorr said we will get funding. It will take 60 days to get approved for financing.

Member Federici said the priority is to get it done.

Chairman Ehrlich reiterated that receivership is a last resort.

Karl Dunajski, a resident of the mobile park, said there has never been a special meeting. No one knows anything. Money has been spent at the park without authorization.

Chairman Ehrlich strongly recommended the cooperative hold a meeting and elections before the next BOH meeting.

**Member Walsh made a motion for the cooperative to hold a general meeting with election of officers and have the funding completed for the project by the Board of Health's September meeting. The motion was seconded by Member Federici; the vote was unanimous.**

Chairman Ehrlich said the Board needs updates on the financing. The cooperative has to have a meeting and election of officers by the Board's next meeting scheduled for September 24<sup>th</sup>. The Board wants a unified decision moving forward on this project.

Chairman Ehrlich thanked all for coming to the meeting.

#### **DIRECTOR'S ISSUES**

The BOH will be moving sometime in September to the Central One Federal Credit Union located at 40 South Street. Future BOH meetings will be held in the credit union's conference room. The office hours of the BOH will be changed slightly to accommodate the credit union's hours. However, the office will still be open until 8:00 p.m. on Tuesdays. The Town Clerk's office will be moving into the BOH office; the Historical Commission is moving to the Library; the Selectmen's office is moving to the DPW and the Recreation Department is moving into the Forbes Community Building.

The Town's online permitting system is scheduled to go "live" on August 1<sup>st</sup> with the Building Department. The Board of Health is scheduled to be next.

There being no further business, the meeting adjourned at 6:40 p.m.

The next meeting will be held Tuesday, September 24, 2013.

Respectfully submitted,

  
Kathleen Smith