

Board of Health Meeting

July 19, 2017

Community Center Conference Room

7:00 pm

The Board of Health meeting began at 7:00 pm with Jay Schwab serving as Chair in Ed Welch's absence.

Present: Jay Schwab, Luba Raynus, Ken Zoller, Beverly Anderson, Greg Meister, Linda Callan. Absent: Chuck Levine.

Also present: Eric Dias, Strongpoint Engineering; Gary Bertocci, Garcon Corporation; Tracey Forziati.

The Board reviewed the minutes of the Board of Health meeting of June 21, 2017. Raynus moved to approve the minutes with modifications as discussed. Zoller seconded and all voted in favor to approve the minutes.

Linda Callan spoke next and presented information on her work with the Republic Services contract for municipal dumpsters. She also described her work with the school system on recycling issues and the status of the Republic Services contract, which has been extended until 2018.

Eric Dias from Strongpoint Engineering presented arguments for a proposed development at 68 Mohawk Street. Mr. Dias asked for conditional approval of his proposed plan for three homes and associated septic systems, which would enable him to address required approvals from other boards. He indicated that the Board of Health would have the option of modifying or retracting their conditional approval when a final review of the finished plans was held. Dias and Bertocci argued that the proposed plan adhered to current town bylaws, and would require no variances. Andrews argued that the plan would be new construction on a site that included wetlands, and that any increase in design flow would need a variance. Greg Meister argued that the site is in a defined floodplain, near municipal well #6, and in a water protection district. He also spoke to the issue of cumulative impact on the town's water supply that might occur should these factors not be considered in this case and future developments on similar sites. Dias argued that the zoning bylaw allows the BOH to grant relief. He also noted that with respect to the municipal well and Zone 2 concerns, that he would explore systems to limit nitrogen loading. Andrews noted that the Board of Health had the option to vote in favor of the plan, but should not approve the plan. Meister noted the Board of Health and Conservation Commission both had the discretion to not approve the proposed plan. Bertocci argued that the proposed plan does not set a precedent, and that the town should consider future development on other available sites across the town on a "case by case basis". Andrews noted that Board could only vote "in favor" of the plan provided, rather than a full approval.

After more discussion, Raynus moved to conditionally approve moving forward to three lots with restrictions for three bedrooms, with relief to allow a ten (10) foot setback as requested. Zoller seconded, all voted in favor.

The Board reviewed requests from three organizations operating semi-public pools for variances from lifeguard requirements. Sharon Green maintains a full time lifeguard at their pool, but requested that no lifeguard be required when the staff needed sick time or vacation time. Macintosh Farms and Bay Ridge Condominium Association requested renewal of their variance to not have a lifeguard on staff due to compliance with State regulations on signage, limited usage, and other factors. Schwab argued that a lifeguard is essential to maintain safety at a pool. The Board asked Anderson to consult with Linda Rosen, former Health Administrator, for information regarding when the semipublic pools were allowed to not have a lifeguard on staff. The Board asked Anderson to check current licenses for information on lifeguard requirements, and to also check the volumes and usage allowances specified for each pool. After discussion, the Board decided that pools without a lifeguard would be allowed to operate through the season, but that the allowance for no lifeguard would be reconsidered prior to the 2018 summer season. The Board asked that a letter be sent to the individual organizations explaining their decision. A separate decision was made with regard to Sharon Green's request. Schwab motioned to honor the request from Sharon Green to operate without a lifeguard as needed for this season during staffing emergencies and vacations, but that proper signage as required in the pool regulations would be required, and the issue would be revisited next season. Zoller seconded the motion. Raynus and Zoller voted in favor of the motion; Schwab voted against it.

The Board asked Anderson to determine whether the permit for the Macintosh Farms pools indicated that a lifeguard is required at the pool, and to review the licenses for other pools. The Board asked that the discussion on lifeguards at semi-public pools be continued at a later date in anticipation of the 2018 swimming season.

The Board then considered the status of the septic system at 62 South Main Street. Anderson and Andrews expressed their concerns regarding lack of compliance with the housing code and Article 7 by the owner of the property. Anderson indicated that the owner had not heeded the extensive fines issued earlier this year, and recommended that the property be condemned for lack of a functioning wastewater system. Andrews agreed with the proposed condemnation. Raynus moved that condemnation proceedings be initiated; Zoller seconded; all voted in favor.

The Board reviewed information on the 2017 budget expenditures and discussed options for 2018. The Board asked Anderson to determine what steps the Board of Health should take to remove the "fixed and uncontrollable" accounts, i.e., municipal dumpsters, special services, etc. from their budget. Anderson suggested that the subsidized trash budget, on which the Health Department collaborates with the Council on Aging, might be maintained as it is consistent with health priorities.

The Board then discussed operational and strategic planning for 2018, and asked Anderson to send out a copy of the strategic plan carried out this year by the Council on Aging. Anderson suggested that a comprehensive health assessment of the town be carried out to support the development of a strategic plan. The Board asked her to gather more information on that subject for the next meeting.

Anderson provided a letter sent to the owner of 19 Moose Hill Avenue regarding an irrigation well, and suggested that an outreach program to well owners might be considered by the Board.

Anderson reviewed the monthly Health Department report with the Board.

The Board reviewed the minutes of the June 28, 2017 Board of Health meeting submitted by Anderson. Schwab voted to accept the minutes; Raynus seconded, all voted to approve the minutes.

The next meeting of the Board of Health will be held on August 17, 2017. Board members identified September 27th as a possible next meeting date.

The Board discussed a request from Hope Church to be relieved of the Board's requirement for a food permit, based on their limited use of the kitchen at the church's site. Raynus moved to grant removal of the food permit for Hope Church with biannual renewal of the request for relief. Zoller seconded and all voted in favor of the motion.

Schwab moved to adjourn the meeting; Zoller seconded; all voted in favor. The meeting ended at 9:30 pm.