

**Halifax Board of Health  
Meeting Minutes  
Wednesday, March 17, 2020**

On Wednesday, a meeting of the Halifax Board of Health was held at the Halifax Town hall.

**Present at the meeting were:**

John L. Weber, Chairman  
Alan J. Dias, Co-Chairman  
Steven A. MacFaun, Clerk  
Robert Valery, Health Agent  
Kelly Dwyer, Secretary

**The Board of Health meeting opened at 6:30pm.**

Also present at the meeting: Amy Troup, Joanne Andrews, Tim Savastano (*21 Brandeis Circle*), Steve Nelson (*Clearwater Recovery*), Emile Tayeh (*0-2 Walnut St.*), Sean Keough, Esq. (*0-2 Walnut St.*), Bob Soares (*0-2 Walnut St.*) and Matt Groschedl of Outback Engineering (*0-2 Walnut St.*).

**1. Disposal Works Permits:**

**a. 87 Clyde O'Bosworth Road**

**i. Recommended for Approval. Needs BOH approval for Sieve Analysis.**

**1. Carry-Over to the next meeting.**

**b. 47 Chestnut Street**

**i. Out for review. Review came in 3/17/2021.**

**1. Steve Nelson of Clearwater Recovery presented revised plan to The Board.**

A Motion was made to approve plan with the condition that a perc test is performed at installation.

**Motion: Alan Dias**

**Second: Steven MacFaun**

**Unanimous vote on the motion**

**c. 7 Old Ocean Avenue**

**i. Recommended for Approval w/Corrections. Corrections received.**

**1. Carry-Over to the next meeting.**

**d. 114 South Street**

**i. Recommended for Approval w/Corrections. Corrections received.**

A Motion was made to approve plan with corrections.

**Motion: Alan Dias**

**Second: John Weber**

**Unanimous vote on the motion**

e. 18 River Street

i. Ratify

A Motion was made to ratify the Health Agents approval.

**Motion: Alan Dias**

**Second: John Weber**

**Unanimous vote on the motion**

f. Bldg# 28 Twin Lakes Drive

i. Ratify

A Motion was made to ratify with repairs.

**Motion: Alan Dias**

**Second: John Weber**

**Unanimous vote on the motion**

**2. Bring to Boards Attention:**

a. 21 Brandeis Circle:

i. Betterment Loan Request

- a. Tim Savastano of 21 Brandeis Circle was present for the meeting. He explained that the top cover of the septic system was ruined by a Bobcat, and has a pit that caved in.
- b. Co-Chairman Alan Dias discussed that The Board of Health has had a previous betterment request, however they are waiting on resident response. Without response, there is the potential of funds for a betterment.
- c. The Board discuss with Tim that The Board and Administrative Assistant will research old betterments, quotes, and the steps necessary if he would like to move forward.

b. 0&2 Walnut Street:

i. Matt Grosschedl, Outback Engineering requested to be on the agenda to discuss recommended approval of plan.

1. Emile Tayeh, Sean Keough, Esq., Bob Soares and Matt Groschedl of Outback Engineering were present for 0-2 Walnut Street.
2. Matt supplied The Board with a letter and a cut sheet for the loading tank and is looking for clarification as to exactly what is needed to move the plan forward.
3. The letter provided by Outback Engineering responded to the following concerns brought up by Co-Chairman Alan Dias:
  - a. The proposed septic tank does not meet the requirements of 310 CMR 15.223 (1)(b) your options, ask for a waiver or install a 1500 gallon with a 1000-gallon pump chamber.
  - b. Septic Tank as shown on the plan is not H2O loading, sidewall, bottom & top thickness.

Proposed tank is two pieces, this manufacturer only provides Monolithic tanks.

- c. Pump discharge piping 4.05' below grade, Requires Local upgrade approval. Could elevation of Horse Barn be raised to create a gravity flow?
    - d. Outlet invert in pump chamber requires a tank modification and the storage capacity has been reduced by 50% as proposed.
  - 4. After lengthy discussion on the plan, The Board determined that the septic should work, and urge Outback engineering to follow the requested suggestions that were presented by Co-Chair Alan Dias.
  - 5. The Board discussed Outback Engineering's responses to the comments and suggestions made by Co-Chairman Alan Dias
  - 6. The Board of Health Requires an As-Built. There are different flows on the two presented plans.
  - 7. The Board has 45 days (Mass. General Law Ch.11 Sec.31) to accept or deny a completed plan, and Co-Chair Alan Dias suggested Outback Eng. sending the secretary a letter waiving the Code/Law.
  - 8. Sean Keough stated that they would move forward with the Easement and Trust, and the owner representative Mr. Tayeh agreed that they will comply with all suggestions.
    - a. They will be back at the next meeting.
- c. 0 Monponsett Street (Map 95, Lot 9): Complaint:
  - i. Ms. Joanne Andrew's came into the Board of Health with a cell phone video of a Country Rentals truck exiting the property. Ms. Andrew's stated the truck was dropping off loads of sand at the property and that they were worried about conservation & vernal pools and stated that there does not appear to be a bathroom/porta-potty or hand-washing station on the premises. Ms. Andrews showed the Administrative Assistant a picture on her cell phone photo with DEP# SE 171-0504 on it.
    - 1. Health Agent stated that he has been to this site multiple times and has not seen any people/workers on the premises.
    - 2. Joanne Andrews addressed The Board with her concerns:
      - a. Dump truck almost hit her.
      - b. Concerns about a site plan and if they have enough space.
        - i. Health Agent Bob Valery said that he is still investigating but he does not have a site plan for the property.
      - c. Joanne continued that she has assessor paperwork, and information from the registry of deeds and is very upset.
      - d. She stated that she wanted the whole town to know that it is not safe here.
        - i. The Health Agent discussed that if this is a drop site or a work site, there are codes that must be followed. Such as

having available transportation and allowing them to leave the site to get to a reasonably close restroom facility.

- e. Joanne continued that this is an undevelopable piece of property and said that “you” have the information”.
  - i. Health Agent responded that his realm is Public Health, in which he intends to follow all guidance and code.

**d. Nomination of Inspector of Animals.**

- i. Admin spoke with Brian Kling. He would like to continue as the Inspector of Animals for Halifax.

A Motion was made nominate Brian Kling to continue as the Inspector of Animals for Halifax.

**Motion: Alan Dias**  
**Second: Steven MacFaun**  
**Unanimous vote on the motion**

**e. Area 58 Recorded Meetings:**

- i. Email from Charlie Seelig asking Board Member(s) of a representative of the Board to meet with the Board of Selectmen for a discussion on area 58 recording meetings.
  - 1. Admin did advise Selectmen’s office verbally that our Board discourage the recordings. The recording of meetings is not a requirement.
    - a. Co-Chairman stated that he would represent The Board at the Selectmen meeting.
    - b. The Board stated that they have no issue being filmed.

**3. Discussion Items:**

**a. 163 Plymouth Street: Complaint:**

- i. Jamal Anderson sent a written complaint stating that the oil ran out and owner is not going to put any in.
  - 1. Health Agent stated that the tenant (Fox/O’Donnell) had sent a complaint into the Board of Health stating that it has no oil but is currently waiting for the tenant to confirm the complaint.
- ii. Update/Concerns/Complaint/Public Records Request
  - 1. A Public Records Request was submitted last week and completed today 3/17/2021.
  - 2. Health Agent stated that there has been no update on if and/or when the applicant will pick-up the request.
- iii. Disposition of fines.
  - 1. Co-Chairman Alan Dias stated that he along the Health Agent spent five hours this week on zoom court for this case. The Board Discussed that this case should be filed immediately with the district court. They also discussed researching and following the proper procedure in order to fine and the owner (Fannie Mae) and the tenant (O’Donnell/Fox).

A Motion was made to immediately file 21D Fines with the District court.

**Motion: Alan Dias**  
**Second: Steven MacFaun**  
**Unanimous vote on the motion**

**b. 100/102 Lake Street:**

- i. If both properties are purchased and the back dwelling demolished, would that solve the shared system issue?
  1. The Board discussed 100 & 102 appearing to be separate according to the Assessor's Office, however in 2002 it was referred to one lot with 2 homes.
  2. Co-Chair Alan Dias stated that the septic does not fall under "shared system" if the properties are considered two separate lots, however that would be a zoning issue.
  3. The Board stated that the inquirers seek an engineer or attorney and contact The Zoning Board to obtain answers.

**c. 161 River Street. Update - See email**

- i. The Board discussed. There is no Certificate of Compliance for the property. The prior Health Agent Cathy Drinan had done a final inspection but did not sign the Certificate of Compliance because there was no as-built.
- ii. Co-Chair Alan Dias suggested adding two vents, one on each side.
  1. Administrative Assistant will reach out to owner about the vents/pipes.

**d. Fee Schedules**

- i. The Board discussed having the administrative assistant or secretary send the current fee schedule to all members to review before scheduling a hearing.
- ii. Health Agent Bob Valery stated that many towns have a \$25 Title V review fee.
- iii. Steven MacFaun responded to that by stating that the Towns that charge \$25 per Title V do not charge fees for permits/licenses.
  1. Carry over to next meeting.

**e. Agents Wages**

- i. Co-Chair Alan Dias stated that he attended the finance committee? zoom and presented the proposed step changes.
  1. The Health Agent would move up from step 1 to 7. Because Cathy was here longer and a higher grade, there is money leftover in the budget to make this happen.
    - a. The Board will need more documentation to hold a vote.

**f. 471 Monponsett Street. Update**

- i. Health Agent Bob Valery stated that there is no change.
- ii. Co-Chair Alan Dias stated that there are mire fridges on the property, however 163 Plymouth Street has been a priority and very time consuming.

**g. Admin Report:**

- i. Administrative Assistant spoke to Dana Junior. He will be away the month of March and will contact the office when he returns.

**h. Agent Report:**

- i. COVID-19 Update
- ii. The Health Agent updated The Board that there has been no major increase or decrease in COVID-19 cases.
  - 1. He explained the homebound vaccination program he is working on with the Fire Department, and the potential of larger a vaccination sites at Bridgewater State College.

**4. The Following to be signed:**

**a. Payroll for the Week Ending March 27, 2021 The Board Signed.**

- i. Robert Valery, Health Agent
- ii. Margaret Selter, Administrative Assistant
- iii. Kelly Dwyer, Secretary
- iv. Brian Kling, Animal Inspector

**b. Meeting Minutes: The Board Signed.**

- i. 03/03/21 Meeting Minutes
- ii. 03/08/21 Meeting Minutes

**c. Revolving Account# 25-513 – FY 21- The Board Signed.**

- i. Buker & Sons Clean Community Service – Plan Reviews
  - 1. 144 South Street - \$85.00
  - 2. 87 Chestnut Street - \$85.00
- ii. Spath Engineering – Invoice# 03132021-743 – Plan Review – 6 Ninth Avenue - \$85.00

**d. Permits: (With condition all required documents are submitted to the Board of Health office)**

- i. Joseph J. Saccone – J. Saccone & Sons, Inc. – 2021 Septic Installer’s Permit
- ii. Ken Arpin – Arpin Inspection Services – 2021 Title V Inspector’s Permit

A Motion was made to approve permits i-ii as read.

**Motion: Alan Dias**  
**Second: Steven MacFaun**  
**Unanimous vote on the motion**

**e. Mail Folder:**

- i. Board of Selectmen: The Board Read.
  - 1. 95 Annawon Drive – Approved Renewal of Temporary Trailer
  - 2. 145 Monponsett Street – Turkey Swamp – Earth Removal Permit
- ii. Building Department: The Board Read.
  - 1. 70 Oak Street - Application to operate a business at 70 Oak Street denied
- iii. Planning Board: The Board Read.

1. Stamped Site Plan:
  - a. 311-313 Plymouth Street
2. Notice of Public Hearing:
  - a. Zoning By-Law Section 167-15 Floodplain District Regulations

### **Adjournment**

A Motion was made to adjourn the meeting at 7:54p.m.

**Motion: Alan Dias**

**Second: Steven MacFaun**

**Unanimous vote on the motion**

**Typed by,**

Kelly Dwyer, Secretary

**Signed By:**

John L. Weber, Chairman

Alan J. Dias, Co-Chairman

Steven A. MacFaun – Clerk

~You can receive an official signed copy of meeting minutes at the Board of Health Office~