

Halifax Board of Health Meeting Minutes Wednesday, May 4, 2022

On Wednesday, a meeting of the Halifax Board of Health was held at the Halifax Town Hall in The Selectmen Meeting room and virtually, via zoom.

Present at the meeting were:

Steven MacFaun, Chair
Pamela Engstrom, Co-Chair
Candice Greene, Clerk
Robert Valery, Health Agent
Kelly Dwyer, Secretary

Also present at the meeting: Eric Dias, Joe Podgurski, Cheryl Bearce, Raymond Bearce, Cesar Calouro, and Area 58 Staff.

A Motion was made to open The Board of Health meeting at 6:30pm.

Motion: Pamela Engstrom
Second: Candice Greene
Unanimous vote on the motion

1. Disposal Works Permits:

a. 49 Carver Street – Board Vote

i. See Board of Health Supplemental Rules & Regulations: Design Criteria – 1.06(9).

1. Engineer's Request: Allow a single septic tank for a multi-unit commercial building.

- a. Eric Dias of Strongpoint Engineering, and Joseph Podgurski (an owner of the property) were present for the meeting.**

A Motion was made to approve with the variance to allow a single septic tank for a multi-unit commercial building.

Motion: Pamela Engstrom
Second: Candice Greene
Unanimous vote on the motion

ii. 63 Carver Street – Out for review with John DeLano

1. Carry over until revisions are received.

iii. 620 Monponsett Street – Out for review with Joe Webby

1. Carry over until revisions are received.

b. Ratify Agents Approval:

i. 31 Buttonwood Road – Ratify Agent's Approval

- 1. RDA has been filed. Agent will ensure proper wetland control barriers.**

A Motion was made to ratify Agent's Approval for 31 Buttonwood Road.

Motion: Pamela Engstrom

Second: Candice Greene

Unanimous vote on the motion

c. Requiring Local Upgrades & Variances: (but otherwise recommended for approval):

i. 28 Buttonwood Road – Ratify Agent's Approval and vote on Local Upgrades & Variances.

1. To reduce the 20' setback from foundation to SAS to 15'. (15.3' provided).
2. To reduce the 50' system location setback from BVW to 44' (44.36' provided).
3. To allow the existing test pit information to be used for the design of the SAS.

A Motion was made to ratify Agent's Approval with local Upgrades & Variances.

Motion: Pamela Engstrom

Second: Candice Greene

Unanimous vote on the motion

ii. 30 Hillside Avenue – Ratify Agent's Approval and vote on Local Upgrades & Variances.

1. Allow proposed septic tank to be 5' from the cellar wall instead of 10' required.
2. Allow proposed S.A.S. to be 15' and 9' from the cellar wall instead of 20' required.
3. Allow proposed S.A.S. to be 9' from the property line instead of 10' required.
 - i. Homeowners, The Bearce's were present. The Board, Agent and Owners discussed the proposed plan.
 - ii. Board Chair Stephen MacFaun recused due to conflict of interest.

A Motion was made to Ratify Agent's Approval with Local Upgrades & Variances.

Motion: Candice Greene

Second: Pamela Engstrom

Unanimous vote on the motion

(2-0-0 Stephen MacFaun Recused)

2. Raffle Draw: Summer Protection Donations from 04/02/22 Beautification Variety Fair.

a. The Board discussed the success of the Board of Health Summer Safety Table at the Beautification Event.

- i. Clerk Candice Greene pulled names out of a jar and named the 5 winners of the raffle baskets.**

3. Bring to Boards Attention:

- a. Town of Braintree, Order 21 028, To address commercial & industrial properties in blighted and/or vacant condition.
 - i. Agent provided each Board member with a copy of Order 21 028 from The Town of Braintree regarding blighted and/or vacant properties. The purpose of bringing this to The Boards attention is to create a similar order, to provide the Agent with resources and permission to handle nuisance properties.
- b. 04/20/22 Tobacco/Nicotine Hearing Public Notice went out.
 - i. Hearing was cancelled because the 04/20/22 meeting was cancelled.
- c. 05/18/22 Tobacco/Nicotine Hearing Public Notice ad went out.
 - i. 05/18/22 Fee Increase for Annual Tobacco/Nicotine Hearing update
 - 1. The Board discussed and will research surrounding towns fees in order to make an educated decision at the Public Hearing 5/18/2022.
- d. 2022 Rabies Clinic will be held on Saturday 05/21/22 in the Town Barn 9-11am.
 - i. Board read. Information available on the website.
- e. Process for Opt-out of Mosquito Spraying for Municipalities
 - i. Agent updated The Board that The State is required to give Municipalities the ability to opt out of aerial spraying only when deemed necessary.

4. Discussion Items:

- a. **Vote:** Consultants can charge their own Individual prices for Bottom Hole and Final Inspections when Agent is not available, and installer wants to move forward. Installer will pay the town for the inspection and the town will pay the consultants.
 - i. Agent and Board discussed.

A Motion was made to allow Consultants to charge their own Individual prices for Bottom Hole and Final Inspections when Agent is not available, and installer wants to move forward. Installer will pay the town for the inspection and the town will pay the consultants.

Motion: Pamela Engstrom

Second: Candice Greene

Unanimous vote on the motion

b. **Agent Report:**

i. Beavers

- 1. Brockton Water commission alleges dam is operational. The water is flowing much better, and Division of Fisheries conducted the remediation of the Beaver population and dam removal involved using an excavator.
- 2. Budget Request of \$5000 to be held and managed by the BOH to provide a cushion to prevent a potential budget over expenditure in the future.
- 3. In this case there was no cost to the Town. In the future either the property owner and or the Town is responsible for the costs. The options for the services needed are being considered by the Health Agent for the Boards review.

ii. 638 Monponsett Street update

- 1. Agent updated Board. The House is falling, and Building, Health, Fire, and residents conducted site visit. The group determined a need to

demolish for safety reasons. The Town and Rockland Trust will provide funding. As an unoccupied residence Building started the process to demolish.

2. Once all legal issues are approved the home will be demolished.
 - a. A resident stated they thought a fence may remedy these issues. Agent noted that putting a fence around the property would not prevent the structure from potentially falling onto the sidewalk or Rt. 58.

iii. 163 Plymouth Street update

1. Agent updated The Board on 163 Plymouth Street:
 - a. Case is closed and the Town received \$5,000 recovery of fines from Fannie Mae.
 - b. Currently the junk, trailer, and occupancy are not in violation of the housing code. This case is proof of why we as a Board use enforcement by fines as a last resort. When the parties involved are willing to meet with us, we can provide guidance for resolution of a problem and uphold the Law, Regulation, and codes.
 - c. Attorney fees did out way the recovery. The determination to settle was based upon legal counsel advise as how the court may rule is unknown.
 - d. Agent recommended the Board to consider the Town to add a By Law modeled around the Braintree Anti-Blight Ordinance, which was provided to The Board for review.
 - e. The Select Board would need to approve as a Town By-Law is not specific to the Board of Health. The proposal allows each agency (Building, Fire, Board of Health) in the Town to write corrective orders to enforce compliance.
 - f. If order conditions are not satisfactorily completed and the Town undertakes corrective action the recovery cost can be leaned on the property/owner.

iv. COVID Update

1. Agent updated that the number of cases is on a decrease, but it is not gone. There have been No Hospitalizations or Deaths.
2. Agent state that Winituxsett Day care had two children from the same family test positive on 5/2/2022. The Director notified DPH and Board of Health. DPH gave recommendations and deferred decision the Local Board of Health. Agent allowed facility to remain open, notify parents and use current protocols.
 - a. In addition, test kits were provided to facility and each parent/child must test negative before attending. The next morning 5/3/2022 the director notified me that the other teacher had tested positive. Agent has decided to air in an abundance of caution and close the facility until Monday 5/9/2022.

5. Affirm Bills Paid:

- a. Payroll for the Week Ending March 26, 2022 (03/22/22 - Chair Signed)**
 - i. Robert Valery, Health Agent
 - ii. Margaret Selter, Administrative Assistant
 - iii. Kelly Dwyer, Secretary
 - iv. Brian Kling, Animal Inspector
- b. Payroll for the Week Ending April 09, 2022 (04/06/22 - Chair Signed)**
 - i. Robert Valery, Health Agent
 - ii. Margaret Selter, Administrative Assistant
 - iii. Kelly Dwyer, Secretary
 - iv. Brian Kling, Animal Inspector
- c. Expense Account# 01-512 – FY 22-15 (04/06/22 - Chair Signed)**
 - i. Express Newspaper – Lega Ad# 13145 – 2 Insertions of Notice of Public Hearing for Nicotine/Tobacco Permit Fee Increase - \$90.00.
- d. Revolving Account# 25-513 – FY 22-15 (04/06/22 - Chair Signed)**
 - i. Webby Engineering – Invoice# 32322 – Plan Review – 28 Buttonwood Road - \$85.00.
 - ii. John DeLano – Invoice# Plan Review – 31 Buttonwood Road – \$85.00.
- e. Nursing Services Account# 01-522 – FY 22-01 (04/06/22 - Chair Signed)**
 - i. Mary L. Montuori, RN – Invoice# 0322 - Nursing Service for the month of March 2022 – \$583.33.
- f. iPad Gift Account# 26-514-4830-02 – FY 22-06 (04/06/22 - Chair Signed)**
 - i. First Net/AT & T Mobile – Cell/iPad Usage & Contract for Feb 12 – March 11, 2022- \$40.23.
- g. Payroll for the Week Ending April 23, 2022 (04/20/22 - Chair Signed)**
 - i. Robert Valery, Health Agent
 - ii. Margaret Selter, Administrative Assistant
 - iii. Kelly Dwyer, Secretary
 - iv. Brian Kling, Animal Inspector
- h. Expense Account# 01-512 – FY 22-16 (04/20/22 - Chair Signed)**
 - i. Robert Valery – Mileage Reimbursement:
 - 1. December 2021 – \$62.33.
 - 2. January & February 2022 – \$82.25.
 - 3. March 2022 – \$115.01
 - ii. WB Mason:

1. Invoice# 228745342: 2-Desk Organizers – \$24.52, Push Pins - \$3.11, Toner - \$100.69, Flag Arrows – \$2.84, Black & Color Ink - \$407.54, Manilla Folders, Legal – \$9.24, Chair Mat - \$70.44. Total - \$618.38.
- i. **Revolving Account# 25-513 – FY 22-16 (04/20/22 - Chair Signed)**
 - i. Phil Spath – Invoice# 040822-743 – Plan Review – 49 Carver Street – \$85.00.
 - ii. Buker & Sons:
 1. Invoice# - 041922 – Plan Review – 30 Hillside Road – \$85.00.
 2. Invoice# - 040622 – Final Inspection – 285 Wood Street for Bob Brown - \$60.00.
- j. **Nursing Services Account# 01-522 – FY 22-02 (04/20/22 - Chair Signed)**
 - i. Mary L. Montuori, RN – Invoice# 041222 - Nursing Service for the month of April 2022 – \$583.33.

A Motion was made to affirm items A-J as read.

Motion: Pamela Engstrom

Second: Candice Greene

Unanimous vote on the motion

6. The Following to be signed:

- a. **Payroll for the Week Ending May 07, 2022 Board Signed.**
 - i. Robert Valery, Health Agent
 - ii. Margaret Selter, Administrative Assistant
 - iii. Kelly Dwyer, Secretary
 - iv. Brian Kling, Animal Inspector
- b. **Meeting Minutes: Board Signed.**
 - i. March 16, 2022, Meeting Minutes
- c. **Expense Account# 01-512 – FY 22-**
 - i. Express Newspaper – Lega Ad# 13262 – 2 Insertions (04/26/22 & 05/06/22) of Notice of Public Hearing for Nicotine/Tobacco Permit Fee Increase - \$90.00.
- d. **Revolving Account# 25-513 – FY 22-**
 - i. Webby Engineering – Invoice# – Plan Review – 620 Monponsett Street– \$85.00.
 - ii. John DeLano – Invoice# Plan Review – 63 Carver Street – \$85.00.
- e. **iPad Gift Account# 26-514-4830-02 – FY 22-**
 - i. AT & T Mobile – Cell/iPad Usage & Contract for March 12 through April 11, 2022- \$43.23.
- f. **Permits: – Ratify Agent's Approval – (With condition all required documents are submitted to the Board of Health office)**
 - i. 574 Monponsett Street – 2022 Drilling and Irrigation Well Permit.
 - ii. By Coco, LLC – 2022 Mobile Food Permit Seasonal at Fieldstone Show Park
 - iii. Dillon's Local at Halifax Country Club – 2022 Mobile Food Permit

- iv. Loopy's Espresso & Crepe Cart – 2022 Mobile Food Permit Seasonal at Fieldstone Show Park
- v. Connecting Rods Cruise Night – 2022 Large Outdoor Event and Food Permit.
- vi. Julie Pemberton – Jools Fried Dough – 2022 Mobile Food Permit Single Event at the Halifax Fourth of July Event.
- vii. Nino's Deli & Ice Cream – 2022 Ice Cream Truck
- viii. Continental Pools – 2022 Pool Permit at Halifax Meadows, Lydon Lane.
- ix. Stephen Madden – Steve's Bulldozer – 2022 Septic Installer's Permit.
- x. Steve Thibeault – Meridian Construction, Inc. – 2022 Septic Installer's Permit.
- xi. Brian Barry – Atlantic Earthwork – 2022 Septic Installer's Permit.
- xii. Dana Junior – Walkabout Construction – 2022 Septic Installer's Permit.
- xiii. Scott Onanian – Primetime Roofing – 2022 Septic Installer's Permit.
- xiv. Brian Cain – Cain Construction – 2022 Septic Installer's Permit.
- xv. Andrew's Bros Construction – Gordon Andrew's – 2022 Soil Evaluator's Permit.
- xvi. Kyle Devenish – Outback Engineering – 2022 Soil Evaluator's Permit.
- xvii. Jason Youngquist – Outback Engineering – 2022 Soil Evaluator's Permit.
- xviii. Robert Dewar – Bracken Engineering – 2022 Soil Evaluator's Permit.
- xix. Dana Junior – Walkabout Construction – 2022 Soil Evaluator's Permit.
- xx. Derek Simmons – Earle F. Simmons Co, Inc. – 2022 Title V Inspector's Permit.
- xxi. Dana Junior – Walkabout Construction – 2022 Title V Inspector's Permit.

A Motion was made to ratify Agent's Approval for I-XXI.

Motion:

Second:

Unanimous vote on the motion

g. Mail Folder: *Board read i-iv.*

i. Grady Consulting:

1. 0 Plymouth Street & 250 Lingan Street.

- a.** Board of Selectmen's Public Hearing for Earth Removal Permit.

ii. Board of Selectmen:

1. 0 Plymouth Street & 250 Lingan Street.

- a.** Board of Selectmen's Public Hearing Notice for Earth Removal Permit

2. Connecting Rods Cruise Night (*Walmart Parking Lot*)

- a.** Live Entertainment Permit

iii. Planning Board: *Emailed to Board Individually.*

1. 03/15/22 – 115 River Street

- a.** Distribution Memo
- b.** Site Plans

2. 03/15/22 – 319 Monponsett Street

- a.** Distribution Memo
- b.** Site Plans

3. 03/21/22 – 319 Monponsett Street


- a. Advertisement – Elevated Roots – Site Plan
- b. Advertisement – Elevated Roots – Special Permit
- 4. 03/31/22 – Proposed Changes in the Town's Zoning By-Laws
 - a. Notice of Public Hearing
- 5. 03/31/22 – 355 Plymouth Street
 - a. Notice of Public Hearing Special Permit to erect a sign for Halifax Cigar and Smoke Shop
- iv. **Zoning Board of Appeals:** *Emailed to Board Individually.*
 - 1. 03/23/22 – 51 Paradise Lane
 - a. Special Permit & Variance Deck
 - 2. 03/23/22 – 49 Carver Street
 - a. Special Permit Pole Barn
 - 3. 03/23/22 – 207 Cranberry Drive
 - a. Variance Addition
 - 4. 04/04/22 – Country Club Estates – Petition# 920
 - a. 40B Hearing - Request for Extension
 - 5. 04/12/22 – Country Club Estates – Petition# 920
 - a. 40B Hearing – Approval of Request for Extension
 - 6. 04/19/22 – 49 Carver Street – Petition# 960 – Decision Letter & Form Filed.
 - 7. 04/19/22 – 49 Carver Street – Petition# 965 – Decision Letter & Form Filed.
 - 8. 04/19/22 – 51 Paradise Lane – Petition# 964 – Decision Letter & Form Filed.
 - 9. 04/27/22 – 620 Monponsett Street – Petition# 968– Notice of Public Hearing to raze & rebuild.

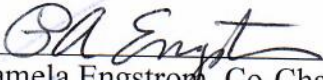
Adjournment

A Motion was made to adjourn the meeting at 8:00pm.

Motion: Pamela Engstrom
Second: Candice Greene
Unanimous vote on the motion

Typed by,
 Kelly Dwyer, Secretary


 Steven MacFaun, Chair


 Pamela Engstrom, Co-Chair


 Candice Greene, Clerk