

**Halifax Board of Health  
Meeting Minutes  
Wednesday, October 20, 2021**

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

**Present at the meeting were:**

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

**Also Present:** Area 58 Film Crew, Chris Winiewicz, Cleddir Ferreira, and Attorney Reservitz.

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

**1. Disposal Works Permits:**

**a. Ratify Agent's Approval**

**i. 37 Lawrence Road (with revisions)**

A Motion was made to ratify agents' approval for 37 Lawrence Road.

**Motion: Pamela Engstrom**

**Second: Candice Greene**

**Unanimous vote on the motion**

**ii. 23 Annawon Drive (with revisions)**

A Motion was made to ratify agents' approval for 23 Annawon Drive.

**Motion: Pamela Engstrom**

**Second: Candice Greene**

**Unanimous vote on the motion**

**iii. 699 Old Plymouth Street (no revisions needed)**

A Motion was made to ratify agents' approval for 699 Old Plymouth Street.

**Motion: Pamela Engstrom**

**Second: Candice Greene**

**Unanimous vote on the motion**

**iv. 128 South Street (with revisions)**

A Motion was made to ratify agents' approval for 128 South Street.

**Motion: Pamela Engstrom**

**Second: Candice Greene**

**Unanimous vote on the motion**

v. 355 South Street (no revisions needed)

A Motion was made to ratify agents' approval for 355 South Street.

**Motion: Pamela Engstrom**

**Second: Candice Greene**

**Unanimous vote on the motion**

vi. 161 Holmes Street (with revisions)

A Motion was made to ratify agents' approval for 161 Holmes Street.

**Motion: Pamela Engstrom**

**Second: Candice Greene**

**Unanimous vote on the motion**

vii. 57, 59 & 61 Beechwood Drive (no revisions needed)

A Motion was made to ratify agents' approval for 57, 59, & 61 Beechwood Drive.

**Motion: Pamela Engstrom**

**Second: Candice Greene**

**Unanimous vote on the motion**

viii. 245 South Street (no revisions needed)

A Motion was made to ratify agents' approval for 245 South Street.

**Motion: Pamela Engstrom**

**Second: Candice Greene**

**Unanimous vote on the motion**

ix. 72 Colby Drive (no revisions needed)

A Motion was made to ratify agents' approval for 72 Colby Drive.

**Motion: Pamela Engstrom**

**Second: Candice Greene**

**Unanimous vote on the motion**

b. **Re-Approve:** (*As-is, no changes*)

i. 8 Tenth Avenue

1. Agent updated that this plan was approved 3 years ago, and the same engineer reapplied for the permit with no changes.

A Motion was made to re-approve the plan for 8 Tenth Avenue.

**Motion: Pamela Engstrom**

**Second: Candice Greene**

**Unanimous vote on the motion**

1. **Discussion Items:**

- a. Cled's/Circuit Street update with nuisance noise reading results. (Cled, his lawyer, and the complainant Chris Winiewicz were present.)

- i. Health Agent Bob Valery presented to The Board and parties present his findings based on the lengthy and thorough investigation into the nuisance



- noise complaint. He provided a written copy of the findings to The Board, Mr. Ferreira, and Mr Winiewicz and asked if there were any questions.
- ii. Much discussion ensued. Mr. Winiewicz approached The Board, expressing his disdain with the Agent's findings: That based on the extensive research, the noise created by Cled's Tree Service (tub grinder) does not classify as nuisance noise. Winiewicz questioned the Health Agent and Board.
1. Mr. Winiewicz objections with the findings:
    - a. He has done extensive research on decibel readings and low frequency vibrations and found scientific research on the negative health results of such readings/vibrations.
    - b. The times and places that the Health Agent took the readings.
    - c. Miscommunications with DEP.
    - d. Stated he has hundreds of photos of Cled's, in which The Board did not see the need to review.
    - e. Winiewicz stated that Agent told him that workers at the pre-school told him it was unpleasant/a long day when the grinder was used.
      - i. Agent corrected him and confirmed that the business he was referencing was Wiess Construction. He was misquoted.
  2. Cleddir Ferreira asked Winiewicz if he will ever be happy with an outcome. The two raised their voices and the Chairman MacFaun interjected and asked for a motion.
  3. The Board discussed further and concluded that The Agents extensive research, readings, CMR and collaboration with other boards has exceeded expectations in addressing this complaint. There has been raw data and unbiased information collected in which The Board of Health can only intervene according to code.

A Motion was made that based on the information from the Health Agent's Report, the noise coming from Cled's Tree Service does not violate 310 CMR 7.10 Nuisance Noise.

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

**b. Nurse/Nursing update**

**i. Town Laptop**

1. Agent updated that the contracted nurse Tammy Lorizio has been having issues with her computer, therefore making it more difficult to perform tasks and train with MAVEN. Clerk Candice Greene stated that she had recently met with Tammy and discussed potential screenings, workshops, and initiatives with her. Tammy mentioned receiving a laptop from the Town, to prioritize patient privacy. Health Agent asked the Board if they would allow him to ask the Selectmen for permission to offer Tammy a laptop for work use.



c. Food Consultant Rate

- i. Food consultation rates are currently \$55.00/per food inspection in Halifax. The Board of Health had voted in the past, to contract a food consultation/inspector that is outsource contracted into the budget. Agent explained that the current rate is typically \$75.00 and that some food establishments could entail a four-hour inspection, versus a gas station could be under an hour, respectively. Agent brought this to The Board's attention because not only is he able to perform the inspections, but he wants to compensate consultants and inspectors fairly that meet his expectations. Agent uses the C.U.T.E. model, (communicate, understand, tools & training, and education.) Food establishment inspections entail building rapport, finding, and fixing any concerns, and educating on the best and safest ways to conduct their business in the eye of Public Health and Safety. The Board agreed that this should be implemented.

d. Admin Report:

- i. I/A Systems: Second round of non-compliance letters to homeowner's that have not complied after first letter went out in August.
  1. Lingan Street 12
    - a. 10/18/21 first letter of non-compliance sent regular mail.
  1. Monponsett Street 370
    - b. 08/16/21 Waste Water Treatment Services sent renewal contract to owner.
    - c. 09/29/21 First letter of non-compliance sent regular mail.
      - i. No response at this time.
    - d. 10/18/21 Second letter of non-compliance sent certified mail with order to comply by 11/03/21 (next BOH meeting).
  2. Monponsett Street 497
    - e. 10/18/21 Rosano & Davis sent a letter to the Board of Health stating this property has not responded to re-new their contract with them. Contract expired August 2021.
    - f. 10/18/21 First letter of non-compliance sent regular mail.
  3. One Parsons Lane
    - g. 08/18/21 Agent called Housing Authority & LVM to discuss broken blower and non-compliance.
      - i. No return call from Housing Authority.
    - h. 09/29/21 First letter of non-compliance sent regular mail.
      - i. No response at this time.
    - i. 10/18/21 Second letter of non-compliance sent certified mail with order to comply by 11/03/21 (next BOH meeting).
      - i. Agent added that this is a tricky system because The Housing Authority may potentially receive a grant for their septic based on boundaries and zones.



4. **04 & 06 Tenth Avenue**

- j. 09/29/21 first letter of non-compliance sent regular mail along with 2 copies of the deed restriction to be recorded and a copy of the DEP Approval letter for the system.
- i. No response at this time.
- k. 10/18/21 Second letter of non-compliance sent certified mail with order to comply by 11/03/21 (next BOH meeting).

5. **Thompson Street 59**

- l. Received contract 10/19/21. All Set.

6. **Wood Street North 02**

- m. 08/18/21 first letter of non-compliance sent regular mail.
- n. 09/29/21 second letter of non-compliance sent regular mail and certified mail.
  - i. Discovered there are new owners.
- o. 10/18/21 First letter of non-compliance to their primary address.
  - i. Secretary read 1-6 and provided a list of properties to The Board.

e. **Agent Report:**

i. COVID update

- 1. Agent updated Board that the COVID run rare is the lowest it has been in a very long time, and many cases reside in the same household. The current statistics are encouraging.

ii. Public Health Excellence Grant Program

- 1. Agent updated that Massachusetts is backing the Public Health Excellent Grant for Shared Services, to assist municipalities in improving effectiveness and public health preparedness. This is 100% funded, and Health Agents from different Municipalities would meet to discuss the most important resources, as response to public health emergencies and improvements. Agent stated that this is a great opportunity for The Town.
- 2. A copy of the Program was provided to each Board member.

2. **Affirm Bills Paid:** (*Vote to affirm*)

a. **Affirm** Board of Health Payroll – Signed by Chair

- i. 09/30/21
- ii. 10/09/21

A Motion was made to affirm i-ii.

**Motion:** Pamela Engstrom

**Second:** Candice Greene

**Unanimous vote on the motion**

b. **Affirm** Expense Account# 01-512 – Signed by Chair

i. **FY 22-05 dated 10/06/21**

1. **Reimbursement to Robert Valery, Health Agent:**

- a. MEHA – Yankee Conference - \$225.00
- b. Hotel Accommodations – \$250.70

- c. Mileage for July 2021 – \$36.79
- d. Mileage for August 2021 – \$81.14
- e. Mileage for September 2021 – \$158.65

**2. G&L Laboratories:**

- a. 07/06/21 Beach Testing – 2 at \$15. = \$30.00
- b. 07/13/21 Beach Testing – 2 at \$15. = \$30.00
- c. 07/20/21 Beach Testing – 2 at \$15. = \$30.00
- d. 07/27/21 Beach Testing – 2 at \$15. = \$30.00
- e. 08/03/21 Beach Testing – 2 at \$15. = \$30.00
- f. 08/10/21 Beach Testing – 2 at \$15. = \$30.00
- g. 08/17/21 Beach Testing – 2 at \$15. = \$30.00
- h. 08/24/21 Beach Testing – 2 at \$15. = \$30.00
- i. 08/31/21 Beach Testing – 2 at \$15. = \$30.00

A Motion was made to affirm items from Expense Account# 01-512 as read.

**Motion: Pamela Engstrom**

**Second: Candice Greene**

**Unanimous vote on the motion**

**c. Affirm Revolving Account# 25-513 – Signed by Chair**

**i. FY 22-04 dated 09/15/21**

- 1. Buker & Sons – Plan Review of 48 Lake Street - \$85.00.

**ii. FY 22-05 dated 10/06/21**

**1. Webby Engineering:**

- a. Invoice# 92321 - Plan Review – 355 South Street - \$85.00.
- b. Invoice# 92721- Bottom Hole Inspection – 522 Plymouth Street - \$60.00.

**2. Spath Engineering:**

- a. Invoice# 92321-743 - Plan Review – 23 Annawon Drive - \$85.00.
- b. Invoice# 92821-743- Plan Review – 161 Holmes Street - \$85.00.

**3. Buker & Sons:**

- a. Invoice# 92821 - Plan Review – 699 Old Plymouth Street - \$85.00.

**4. John W. DeLano:**

- a. Invoice# 92021 - Plan Review – 37 Lawrence Road - \$85.00.
- b. Invoice# 92721 - Plan Review – 128 South Street - \$85.00.

**5. G&L Laboratories:**

- a. 07/06/21 Beach Testing – 3 at \$15. = \$45.00
- b. 07/13/21 Beach Testing – 3 at \$15. = \$45.00
- c. 07/20/21 Beach Testing – 3 at \$15. = \$45.00
- d. 07/27/21 Beach Testing – 3 at \$15. = \$45.00
- e. 08/03/21 Beach Testing – 3 at \$15. = \$45.00
- f. 08/10/21 Beach Testing – 3 at \$15. = \$45.00
- g. 08/17/21 Beach Testing – 3 at \$15. = \$45.00
- h. 08/24/21 Beach Testing – 3 at \$15. = \$45.00
- i. 08/31/21 Beach Testing – 3 at \$15. = \$45.00



A Motion was made to affirm items from Revolving Account# 25-513 as read.

**Motion: Pamela Engstrom**

**Second: Candice Greene**

**Unanimous vote on the motion**

**d. Affirm Landfill Engineering Account# 01-519 –signed by Chair**

**i. FY 22- 01 dated 10/06/21**

1. Tighe & Bond – Invoice# 092194162 - Landfill Monitoring – For Professional Services Rendered Through 08/28/21 - \$850.00

A Motion was made to affirm items from Landfill Engineering Account# 01-519 as read.

**Motion: Pamela Engstrom**

**Second: Candice Greene**

**Unanimous vote on the motion**

**3. The Following to be signed: The Board Signed.**

**a. Payroll for the Week Ending October 23, 2021**

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

**b. Meeting Minutes: (*Sign and Vote to Approve*)**

- i. September 15, 2021, Meeting Minutes

A Motion was made to approve September 15, 2021 meeting minutes.

**Motion: Pamela Engstrom**

**Second: Candice Greene**

**Unanimous vote on the motion**

**c. Expense Account# 01-512 – FY 22-06**

- i. MEHA – 2021 Fall Seminar – Health Agent - \$75.00
- ii. Pitney Bowes – Board of Health Postage Deposit - \$200.00

A Motion was made to approve Expense Account# 01-512 – FY 22-06 items i-ii.

**Motion: Pamela Engstrom**

**Second: Candice Greene**

**Unanimous vote on the motion**

**d. Revolving Account# 25-513 – FY 22-06**

- i. Webby Engineering: Invoice# 100921 - Plan Review – 57, 59 & 61 Beechwood Drive - \$85.00.
- ii. Buker & Sons: Invoice# 101421 - Plan Review – 245 South Street - \$85.00.
- iii. John W. DeLano: Invoice# 101821 - Plan Review – 72 Colby Drive - \$85.00.

A Motion was made to approve Revolving Account# 25-513 – FY 22-06 items i-iii.

**Motion: Pamela Engstrom**

**Second: Candice Greene**

**Unanimous vote on the motion**

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

i. **Ratify Agents Approval**

1. 250 Industrial Park Drive – 2021 Storage Facility Permit
2. Pope's Tavern COA – 2021 Kitchen Permit
3. Derek Simmons – Earle F. Simmons Co – 2021 Title V Inspector's Permit
4. Stephen Nelson – Clearwater Recovery – 2021 Septic Installer's Permit.

A Motion was made to ratify agent's approval for permits 1-4.

**Motion: Pamela Engstrom**

**Second: Candice Greene**

**Unanimous vote on the motion**

f. **Mail Folder:**

i. **Planning Board: The Board Read.**

1. 314 Plymouth Street – Memo
  - a. Site Plan and Special Permits for storage have not been approved by Planning Board.

**Adjournment**

A Motion was made to adjourn the meeting at 7:33 p.m.

**Motion: Pamela Engstrom**

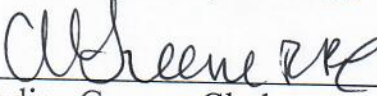
**Second: Candice Greene**

**Unanimous vote on the motion**

Typed by,  
Kelly Dwyer, Secretary

  
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Steven MacFaun, Chair

  
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Pamela Engstrom, Co-Chair

  
\_\_\_\_\_  
Candice Greene, Clerk