

**Halifax Board of Health
Meeting Minutes
Wednesday, February 17, 2021**

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 opened at 6:30pm.

Present at the meeting: Tammy Lorizio, Joe Webby, Paul & Maureen Reed, Chris Winiewicz, Sarah Stern & Dan Gagne (representing Beals & Thomas)

1. Disposal Works Permits:

a. Recommended for approval:

b. 10 Putter's Way (416–430 Plymouth Street)

i. Plans and easement.

1. Joe Webby presented his septic design to The Board.
2. Paul Reed expressed his frustrations to the Board. His concerns:
 - a. Easement issues, agreements not being upheld.
 - b. Saturated lawn due to overflow from 416-430 Plymouth Street
 - c. Consistent insect and machinery issues due to septic overflow onto his lawn.
3. The Board recognized Mr. & Mrs. Reed's frustrations and noted that the easement is a legal matter and there is nothing wrong with the proposed plan.

A Motion was made to approve plan.

Motion: Alan Dias

Second: Steven MacFaun

Unanimous vote on the motion

c. 31 Ocean Avenue

- i. The Board discussed the variance and deed restrictions.
 1. Requires DEP approval.

d. Ratify Agents Approval:

- i. 657-659 Monponsett Street (Twin Lakes Liquors)

A Motion was made to ratify agent's approval.

Motion: Alan Dias

Second: John Weber

Unanimous vote on the motion

Steven MacFaun recused himself from this motion due to conflict of interest.

2. Bring to Boards Attention:

- a. 12/09/21 Amended Supplemental Rules and Regs. Corrections made.

- i. 106 (3) –Board's intent, SAS only. **(No change made)**

- ii. 107 (6) (a) – at inlet and outlet. **(Added)**

- iii. 109 (8) (b) (ii) – Duplicate of 109 (8) (b) (i). **(Removed)**

1. Regulations will be sent to Boston.

- a. Board updates that they were notified.

- b. Nursing Contract – Tammy Lorizio, RN

- i. Tammy was present at the meeting.

- ii. Health Agent Bob Valery introduced Tammy to The Board, suitable candidate for the Nursing Contract.

1. Tammy presented her experience as a registered nurse for 21 years, and a former Halifax resident that would like to give back to the community.

A Motion was made to start a public health nurse contract with Tammy Lorizio, RN.

Motion: Alan Dias

Second: Steven MacFaun

Unanimous vote on the motion

- c. Virtual Meetings – Area 58

- i. The Board discussed.

1. The Board discussed not having virtual meetings due to the difficulty to perform plan reviews. Chairman John Weber discouraged Area 58 for the meetings.

3. Discussion Items:

- a. 111 River Street (Bud's Goods)

Beal's & Thomas to discuss the feasibility of off-site septic system.

Sarah Sterns and Dan Gagne present.

- i. Sarah addressed the Board with their provided proposed plan and information for an outdoor farm and grow facility.

- ii. She recognizes that the soils are not great in the area, however states that her client is working with the landowner to come up with creative solutions.

- iii. She noted that the landowner suggested an offsite septic and that he farm would have a small number of employees, using about 300-400 gallons of water a day.
 - Chairman John Weber addressed them and said they would like to see a percolation test with soil logs done on site before an offsite location would be considered.
- iv. Sarah will reach out to the client, and asks The Board although the client would prefer to have the septic on site, “If the perc test reveals only bad soils, would the offsite septic be approved?” Dan said S.E.A is working on the design.
 - The Board Discussed possibilities with Sarah and Dan such as composting toilets, and onsite treatment systems. The Board discusses them possibly presenting a plan to conservation, taking into consideration testing closer to the wetlands. The Board continues to discuss possible piping issue, geysers, and multiple pumps are potential problems when a SAS is located so far away.
 - Health Agent addressed the representatives and discussed the possibility of other test pit areas.
 - The Board and Beal’s and Thomas representatives reached the conclusion that nothing can happen without a percolation rate and will be in contact with us as their proposals move forward.

b. 415 Thompson Street – Sludge:

- i. Received an email from Mr. John Peck requesting a hearing regarding the “Cease and Desist” and all relevant information be sent to him prior to the hearing.
 - 1. Returned email stating:
 - a. The Board of Health received his letter.
 - b. The hearing has been set for 03/03/2021 at 6:30pm.
 - c. Attached a copy of the Board of Health “Public Records Request” form and requested it be completed and returned to the Board of Health.
- ii. Email sent to Mr. Peck 02/11/21 stating:
 - 1. The Board of Health has not received a response from you regarding the “Public Information Request” form we requested, and the March 03, 2021 hearing date given.
 - 2. At this time, a hearing is not scheduled for 03/03/21, but this item is on our agenda for discussion should you want to attend.
- iii. Mr. Peck’s son, Joe Peck emailed the Board of Health stating his father is not feeling well. Joe Peck asked what the Board of Health was looking for from his father.
 - 1. Health Agent sent an email to Joe Peck explaining the situation and inviting him to the 02/17/21 meeting.
 - 2. Health Agent Bob Valery addressed The Board with the correspondence with Earth Source (who delivered the

product) and a possible solution. The representative from Earth Source noted that the delivery should not have happened at that location due to lot size.

3. The Board discussed that to utilize sludge in this manner a farm plan, chemistry to show potential heavy metal, and proper distance to the water is required.

A Motion was made for the owner of 415 Thompson Street to remove all sludge from the premise within 30 days.

Motion: Alan Dias

Second: Steven MacFaun

Unanimous vote on the motion

c. 163 Plymouth Street Update:

- i. Order to Condemn, Secure and Vacate the Dwelling was sent to Mr. David Fox a/k/a Michael O'Donnell via constable, certified mail, and first-class mail, Constable.
- ii. Copies sent to Federal Nation Mortgage Association via certified mail, and first-class mail.
- iii. Police incident report of suspicious activity.
 1. All notices were sent, and The Board discussed an upcoming court hearing 2/22/2021.

d. 2 Walnut Street:

- i. Waiting on revised plans to go out for review.
- ii. Easement may need to be reviewed by Town Counsel.
 1. Engineer agreed to make revisions. Carry-over to the next meeting.

e. 450 Industrial Park Drive – Cled's Tree Service Cease & Desist order update.

- i. The Board reviewed a cease-and-desist letter drafted by The Health Agent to be sent to the owner of Cled's. A new letter will be written by agent for approval at the next scheduled meeting.
 1. Health Agent Bob Valery later asked the Board if they would like the new letter to state, "no employees" and/or be chained or fenced closed. The Board responded that only "no employees" should be enforced.
- ii. Alan Dias discussed with The Board that he does not think a temporary porta-potty is satisfactory for sanitary standards. However, if there was a building permit pulled, they may technically be allowed to have a port-a-potty.
- iii. The Board discussed the sanitary conditions that are required, by law and that that is the main priority.
- iv. Alan Dias added that OSHA regulation 1915.88 may be applicable in this situation.

- v. Chris Winiewicz of Circuit Street addressed the board, stating that there are at least 7 full time employees working at Cled's. He said there is a chipper, loader, and they are incredibly loud.
 - vi. Health Agent and Board address Chris, and explain the details involved with testing ambient sound/noise complaints. Alan suggested speaking with the zoning enforcement officer for noise complaints.
 - f. 63 Palmer Mill Road Update:
 - i. No response to letter yet
 - 1. Carry-over to the next meeting.
 - g. Finance Committee Meeting:
 - i. Step Raises & Clothing Allowance update and vote.
 - 1. Health Agent updates The Board that the \$500 clothing allowance would be from the existing budget, just redistributed.
 - 2. Alan Dias presented The Board the proposition for a step and salary raises for The Health Agent that would be brought to Town Meeting. The increase would be within budget and aligns with the amount of time and work that the agent has put in since starting the position.
 - h. Emergency Pre-Final Inspections.
 - i. The Board stated that emergency pre-final inspections should not happen, as as built and plan are the responsibility of the installer.
 - i. 471 Monponsett Street – Carried over from previous meeting.
 - i. Carry-over and keep on agenda while The Board focuses on 163 Plymouth Street.
 - j. **Agent Report:**
 - i. COVID-19 Update
 - 1. The Health Agent updates The Board that the school is looking to go back fulltime by the end of March.
 - 2. Agent also updates that vaccines will be distributed to cities and towns that are hit the hardest and/or mass vaccination sites rather than local municipalities.
 - a. Steven MacFaun asks Agent his opinion on opening school.
 - 3. Health Agent states that school can be the safest place to be. He has no concerns with the classrooms or school, the concerns lie in transportation to and from school and after school activities.
4. **The Following to be signed:**
- a. February 03, 2021 approved permits. Board Approved and Signed.

- b. **Payroll for the Week Ending February 13, 2021 Board Approved and Signed.**
 - i. Robert Valery, Health Agent
 - ii. Margaret Selter, Administrative Assistant
 - iii. Kelly Dwyer, Secretary
 - iv. Brian Kling, Animal Inspector
- c. **Meeting Minutes: Board Approved and Signed.**
 - i. December 02, 2020 – John Weber signature needed.
 - ii. January 06, 2021 Meeting Minutes – All signatures needed.
 - iii. January 20, 2021 – John Weber & Steven MacFaun signature needed.
 - iv. February 03, 2021 Meeting Minutes
- d. **Expense Account# 01-512 – FY 21- (Carry-over and affirm at 03/03/21 meeting)**
 - i. WB Mason – Invoice#
 - 1. Toner, Ink & Office Supplies - \$
- e. **Revolving Account# 25-513 – FY 21- (Carry-over and affirm at 03/03/21 meeting)**
 - i. Spath Engineering – Invoice# - Plan Review – 31 Ocean Avenue - \$85.00
- f. **Permits:** *(With condition all required documents are submitted to the Board of Health office)*
 - i. Stop & Shop Supermarket – 2021 Food Establishment and Retail Food Permit.
 - ii. Saccone Bros. Leasing, Inc dba DeSac Disposal – 2021 Rubbish Hauler's Permit.
 - iii. Graham Waste Services – 2021 Rubbish Hauler's Permit.
 - iv. Page Corporation – 2021 Septage Hauler's Permit
 - v. Brown Enterprises – Robert Brown – 2021 Septic Installer's Permit
 - vi. Richard E. Merry Excavating – Richard Merry – 2021 Septic Installer's Permit
 - vii. Page Corporation – Lawrence Page – 2021 Title V Inspector's Permit
 - viii. Wadsworth Inspections, LLC – Robert Wadsworth – 2021 Title V Inspector's Permit
 - ix. Andrew's Bros. Construction – Gordon Andrews – 2021 Septic Installer's Permit

A Motion was made to approve permits i - ix.

Motion: Alan Dias

Second: Steven MacFaun

Unanimous vote on the motion

g. Mail Folder:

h. Board of Selectmen: Board Reviewed.

1. Notice of Public Hearing
 - a. 95 Annawon Drive – Long-term Traylor permit.
- ii. **Planning Board: Board Reviewed.**
 1. Proposed Building & Septic Design
 - a. 311-313 Plymouth Street - Proposed Garage
 2. Notice of Public Hearing
 - a. 111 River Street (Bud's Goods) – To obtain a site plan review and special permit.
 3. Site Visit and Advertisement Email

Adjournment

A Motion was made to adjourn the meeting at 7:52 pm.

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~