

**Halifax Board of Health  
Meeting Minutes  
Wednesday, November 16, 2022**

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

**Present at the meeting were:**

Steven A. MacFaun, Chairman  
Candice Greene, Clerk  
Robert Valery, Health Agent

The Board of Health opened at 6:35pm.

**1. Disposal Works Permits:**

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

**i. Bldg# 10 Twin Lakes Drive:**

**1. Variances:**

- a.** Allow a vertical separation reduction from the required 5' to 4.4'.
- b.** Allow up to 48" of cover.
- c.** Allow reduction from 20' setback to a minimum of 8'.
- d.** Use of a grain size distribution analysis accordance with DEP guidance policy to establish design load rate.

**2. Upgrade:**

- a.** Waiver requested to omit 5' over dig adjacent to building and within 10' of underground communication cable.

**2. Discussion Items:**

**a. 27 Hillside Avenue: Complaint**

- i.** An anonymous nuisance complaint came into the Board of Health regarding junk, trash, unregistered vehicles, tires, burning, distance to pond and septic failure occurring.

- 1.** The Agent updated Board. In 2016 Property the was sold without a Title 5 being conducted as the bank was holding money in escrow for repair.
- 2.** In 2018 BOH approved a septic plan. Permit never pulled.
- 3.** In 2020 the septic plan was revised to use concrete chambers.
- 4.** In 2021 BOH rereviewed the plan asking for a revised plan addressing the BOH comments.

- a.** Engineer has not submitted the plan pending perc tests and payment.

5. Upon receipt of a complaint, a site visit was conducted by the Agent immediately with the following results:
  - a. The owner and plumber were on site. Backup was occurring into the home due to excessive amount of baby wipes.
  - b. No signs of breakout and pit cover was opened with little liquid in the tank.
  - c. 3 vehicles, one unregistered.
  - d. > 400 ft. from pond.
  - e. No trash. Junk is boats, bikes, miscellaneous metal. 2 sets of 4 tires on rims. Burn pit is old wooden chairs and wood. No hazardous waste observed.
6. The Agent presented the Title 5 Regulations to Board Members and stated this appears to be a loophole in forcing a timeframe for system upgrade with no evidence of health or environmental impact. The owner is alleging financial hardship.
  - a. Chairman asked the Agent why the approved plan needed to be revised? Also, what revisions need to be done?
7. Agent stated it was the time lapse on installation of the system.
8. Agent read the Board of Health comments on the plan review.
9. The Board will review the Title 5 information provided by the agent, and the agent will monitor the yard and the SAS for breakout health issues.

**b. Admin Report:**

i. Admin. is working on:

1. Reminders for Annual Permits due 01/01/2023.
2. Operations & Monitoring Contracts for Alternative systems.
  - a. Agent updated Board.

**c. Agent Report:**

i. C2-9 Lydon Lane – Update:

1. The Agent thanked Mr. Donovan for attending the Board of Health Meeting and stated must ask a few questions.
  - a. Agent: Mr. Donovan, have we been clear in communication of 410.750: Conditions Deemed to Endanger or Impair Health or Safety to you?
    - i. Mr. Donovan: Yes
  - b. Agent: We thank you for getting the dumpster. We noticed a good faith effort to put some refuse in.
  - c. Did we provide you with contractor bags, cleaners, gloves, insecticides and offered my services for removal of any filled bags left outside?



- i. Mr. Donovan: Yes
- d. Agent: In fact, I have driven by every weekday for pick up and except for one small bag there have not been any other bags. Do you agree?
  - i. Mr. Donovan: Yes
- e. Agent: Have we explained that under 410 CMR 260 every residence shall have at a minimum two means of egress and that no person shall cause obstruction?
  - i. Mr. Donovan: Yes
- f. Agent: We communicated that the obstruction of the rear slider egress poses a safety hazard to you, your neighbors, and first responders. Observations and the picture provided clearly show that the condition has not been remediated. Do you agree?
  - i. Mr. Donovan: It has been cleared to some degree, only one side slides and I have shelving on the other side.
- g. Agent: One last question from me and the Board may have more. Did we or did we not clearly explain that our goal is to help you, potentially waive fines for compliance, and enforcement is our last option but mandated by Mass. General Law?
  - i. Mr. Donovan: Yes
- h. Chairman: Why is the egress not clear.
  - i. Mr. Donovan: There is very minimal stuff in totes, and I believe I reduced 90% of the clutter.
- 2. The Board and Agent had much discussion about where we are and what our next steps will be including legal action.
  - a. Clerk: It is very difficult to see in. So far you have not allowed the Agent entry into the unit. Will you allow Bob in to evaluate and give guidance?
    - i. Mr. Donovan: Yes. I did not know I had to invite him in.
  - b. Agent: I asked at our first meeting and did not want to force the issue as I must protect your 4th Amendment rights.
  - c. Chairman: Let me make this perfectly clear. Before the next meeting you will contact the Agent and he will come in. If you do not, we will seek a search warrant. Chairman asked the Agent when he was free.
  - d. Agent: Mr. Donovan just call me, and I will adjust my schedule morning, noon, or night to accommodate you.

- e. Clerk: Let's plan for the 6th or 7th of Dec. which will allow you some more time to clean.
- f. Agent: I will drive by daily if you put bags out.
  - i. Mr. Donovan: The Condo Association gives me a hard time when I do that.
- g. Agent: The Condo Association asked for my assistance if they give you a hard time call me and I will handle the situation.
- h. Board: Thank you for your attendance and anticipated cooperation.

**ii. Holidays in Halifax**

- 1. The Agent updated the Board Members that the Board of Health would recommend wearing masks for any indoor event.
- 2. Town is seeking volunteers to help with set-up to pull this all together. Total community involvement would be appreciated. The Board of Health will post on their webpage what is needed from volunteers once details on the event are decided.

**3. Affirm Any Bills Paid: – Board Approved and Affirmed**

**a. Public Health Excellence Grant Account# 25-516-5430-189 – FY 23-03**

**i. Harcourt Bindery – Kitchen Inspection Forms**

- 1. Form 734A-1 - 2@26.00 - \$52.00
- 2. Form 734A-2 - 2@26.00 - \$52.00
- 3. Form 734B - 2@26.00 - \$52.00
- 4. Shipping UPS - \$30.00

A Motion was made to Affirm the Public Health Excellence Grant – FY 23-03, i,1-4.

**Motion: Candice Greene**  
**Second: Steven MacFaun**  
**Unanimous vote on the motion**

**4. The Following to be signed: – Board Approved and Signed**

**a. Payroll for the Week Ending November 19, 2022**

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

A Motion was made to Payroll for the Week Ending November 19, 2022, a, i-iv.

**Motion: Candice Greene**  
**Second: Steven MacFaun**  
**Unanimous vote on the motion**



**b. Meeting Minutes: – Board Approved and Signed**

**i. November 05, 2022, Meeting Minutes**

A Motion was made to approve the 11/05/22 Meeting Minutes.

**Motion: Candice Greene**

**Second: Steven MacFaun**

**Unanimous vote on the motion**

**c. Expense Account# 01-512 – FY 23-07 – Board Approved and Signed**

**i. Robert Valery Clothing Reimbursement – \$190.92**

**ii. Robert Valery Mileage Reimbursement for October 2022 – \$169.59**

A Motion was made to approve the Expense Account FY 23-07, i-ii, as listed on the agenda.

**Motion: Candice Greene**

**Second: Steven MacFaun**

**Unanimous vote on the motion**

**d. Revolving Account# 25-513 – FY 23-09 – Board Approved and Signed**

**i. Buker & Sons:**

**1. Invoice# – Kitchen Inspections:**

**a. Healthy Habits Nutrition – \$75.00**

**b. Lindy's General Store – \$75.00**

**c. Rodney's Kitchen – \$75.00**

**d. Halifax Mobil Station – \$75.00**

**e. Halifax Market & Deli – \$75.00**

**f. Twin Lakes Package Store – \$75.00**

**g. Happy Dragon – \$75.00**

**h. Nonnie's – \$75.00**

**i. Johnny Macaroni's – \$75.00**

**j. Lakeside Villa/550 Club House – \$75.00**

**k. Dunkin Donuts – \$75.00**

**l. Subway – \$75.00**

**m. Harmony Two Liquors – \$75.00**

**n. Santoro's Pizza & Subs – \$75.00**

**o. Cumberland Farms – \$75.00**

**p. Grille 58 – \$75.00**

**q. Cape Cod Café – \$75.00**

**i. Total: \$1,275.00**

A Motion was made to approve the Revolving Account FY 23-09, i, 1, a-q, as listed on the agenda.

**Motion: Candice Greene**

**Second: Steven MacFaun**

**Unanimous vote on the motion**

**e. Revolving Account# 25-513 – FY 23-10 – Board Approved and Signed**

**i. Buker & Sons:**

1. Invoice# 110822 – Bottom Hole Inspection – 68 Highland Circle – \$100.00.
2. Invoice# 1122 – Plan Review – Bldg# 10 Twin Lakes Drive – \$85.00.

**ii. G&L Labs – Invoice# 105100 – Annual Covenant Cases Beach Water Testing – 5@\$20. = \$200.00**

A Motion was made to approve the Revolving Account FY 23-10, i, 1 & 2 and ii, as listed on the agenda.

**Motion: Candice Greene**

**Second: Steven MacFaun**

**Unanimous vote on the motion**

**f. Nursing Services Account# 01-522 – FY 23-05 – Board Approved and Signed**

**i. Statement Covers Nursing Service Period: November 2022 – \$583.33**

A Motion was made to approve the Nursing Service Period for November 2022.

**Motion: Candice Greene**

**Second: Steven MacFaun**

**Unanimous vote on the motion**

**g. Public Health Excellence Grant Account# 25-516-5430-189 – FY 23-05 – Board Approved and Signed**

**i. ALSCO Food Check – Invoice# 858**

1. Audit: Middleboro, MA – Inspection – 2@\$75 = \$150.00
  2. Audit: Raynham, MA – Inspection – 6@\$75 = \$450.00
  3. Audit: Bridgewater, MA – Inspection – 3@\$75 = \$225.00
- a. Total: \$825.00**

A Motion was made to approve ALSCO Food Check, Invoice# 858, 1-3, as listed on the agenda.

**Motion: Candice Greene**

**Second: Steven MacFaun**

**Unanimous vote on the motion**

**b.**

**ii. ALSCO Food Check – Invoice# 870**

1. Middleboro Inspections 11/01/22 2@\$75 = \$150.00
2. E. Bridgewater Inspections 11/02/22 2@\$75 = \$150.00
3. E. Bridgewater Inspections 11/02/22 1@\$35 = \$35.00
4. Raynham Inspections 11/02/22 1@\$75 = \$75.00
5. Raynham Inspections 11/02/22 1@\$35 = \$35.00
6. Middleboro Inspections 11/09/22 3@\$75 = \$225.00



7. Middleboro Inspections 11/09/22 2@\$35 = \$70.00
8. Raynham Inspections 11/10/22 3@\$75 = \$225.00
  - a. **Total: \$965.0**

A Motion was made to approve ALSCO Food Check, Invoice# 870, 1-8 as listed on the agenda.

**Motion: Candice Greene**  
**Second: Steven MacFaun**  
**Unanimous vote on the motion**

- iii. **Public Health Excellence Grant Payroll for October 2022** (*Re-approve Agent October 2022 Payroll from 11/05/22 meeting. Fee Schedule was never submitted for signature*) – **Board Approved and Signed**

1. Robert Valery, Health Agent (October 2022) – \$1,968.00.
2. Robert Buker, Shared Service Coordinator (3 weeks) – \$3,965.52.

A Motion was made to approve the Public Health Excellence Grant Payroll for October 2022.

**Motion: Candice Greene**  
**Second: Steven MacFaun**  
**Unanimous vote on the motion**

- h. **Permits:** (*With condition all required documents are submitted to the Board of Health office*) – **Board Approved and Signed**

- i. Edward Johnson – Johnson Construction – 2022 Septic Installer's Permit
- ii. Donald Asack, Jr. – Asack Excavating, Inc. – 2022 Septic Installer's Permit
- iii. T & T Title 5 Services – Brian Travis – 2022 Title V Inspector's Permit

A Motion was made to approve permits i-iii as listed on the agenda.

**Motion: Candice Greene**  
**Second: Steven MacFaun**  
**Unanimous vote on the motion**

- i. **Mail Folder:** *All Correspondence is emailed to the Board individually.*

- i. **Conservation Commission:**

1. Bldg# 10 Twin Lakes Drive Condominium – RDA and RDA Plan. (*Emailed 11/10/22*)

**ii. Planning Board:**

1. 314 Plymouth Street – Notice of Public Hearing for a Special Permit for a Drive-Thru. *(Emailed 11/10/22)*
2. 416R Plymouth Street Auto Mechanic Repair Shop – Distribution Memo & Site Plan *(Emailed 11/10/22)*
  - a. 416R Plymouth Street Auto Mechanic Repair Shop Reply from Planning Board Member Amy Troup *(Emailed 11/14/22)*

**Adjournment**

A Motion was made to adjourn the meeting at 7:18p.m.

**Motion: Candice Greene**

**Second: Steven MacFaun**

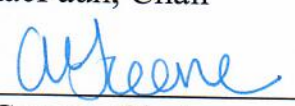
**Unanimous vote on the motion**

Typed by,  
Peggy Selter, Administrative Assistant



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Steven MacFaun, Chair



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Candice Greene, Clerk