

**TOWN OF LAKEVILLE**  
**Board of Health Meeting Minutes**  
**February 17, 2016**

The Lakeville Board of Health held a meeting on February 17, 2016 at the Lakeville Town Office Building. Board of Health Members present: Robert Poillucci, Derek Maxim and Christopher Spratt. Also present: Health Agent Perry and Administrative Assistant Jo Lima.

Chairman Poillucci called the meeting to order at 6:00 p.m. and noted that this meeting was being recorded by the Board of Health and LakeCAM.

**18 Fuller Shores Road.** – Jon Pink from AZOR Land Sciences was present on behalf of his client John Douglas, to discuss a variance for a proposed new well. Abutter card was submitted. Members reviewed request letter dated February 5, 2016 and an associated proposed well plan dated January 20, 2016. He was requesting a variance from the Lakeville Board of Health Regulations 12.2 stating that no well shall be permitted within ten feet of a side or rear line. A variance is requested to six feet from a side line. In his notes to Members, Health Agent Perry requested a Title V, but Member Maxim stated in his opinion he didn't feel it was necessary for someone coming in for just a well. Chairman Poillucci agreed.

Upon motion made by Member Maxim and seconded by Member Spratt, the Board:

**VOTED:** To grant the local variance from ten feet from a side line to six feet. Unanimous vote in favor.

**Zoning Board of Appeals Petitions - Review & Comment**

**1. 21 Staples Shore Road, Lion's Club** – Board Members reviewed and discussed a ZBA Petition for Hearing and Site Plan dated December 3, 2015.

Upon a motion made by Chairman Poillucci and seconded by Member Maxim, the Board:

**VOTED:** To send a letter to the Zoning Board of Appeals stating that with the limited information they were given, they saw no health issues involved. Septic Plans have not yet been submitted to the Board of Health for review. Unanimous Vote in Favor.

**2. 226 Hemlock Shore Road North, Michael Cody** – Board Members reviewed and discussed a ZBA Petition for Hearing and Site Plan dated January 12, 2016.

Upon a motion made by Member Maxim and seconded by Member Spratt, the Board:

**VOTED:** To send a letter to the Zoning Board of Appeals stating that with the limited information they were given, they saw no health issues involved. Septic Plans have not yet been submitted to the Board of Health for review. Unanimous Vote in Favor.

**Old Business – Not on Agenda – 19/22 Beechtree Drive**

Jon Pink from AZOR Land Sciences was present for discussion. Because he had notified the abutter of this meeting, Chairman Poillucci felt this could be discussed under old business. Members discussed three variance requests, one from the State Environmental Code, and two from Local Board of Health Regulations. The revised plan dated January 20, 2016 did not list the two Local Board of Health Regulation

variances. These requests were needed to permit existing and proposed sewage piping within roads and for the proposed sewer line to be too closer to a proposed water line than required. The stipulation for these variances being that if legally required the applicant would need to obtain an easement from the Association that may own said road. The board also stipulated that the future garage at 19 Beechtree is limited to a ½ bath (toilet and sink only on ground floor) and it is to be made clear that the future garage cannot have any new “flow” as defined in Title V. The revised plan also showed that the existing septic tank on 22 Beechtree would have a “White Knight” I/A Treatment System added.

Upon motion made by Chairman Poillucci and seconded by Member Maxim, the Board:

**VOTED:** To grant the variances from Local Board of Regulation 2.1 and allow a new gravity sewer line to be constructed only 2’ from a proposed water line (both within the road for a future garage on #19 Beechtree) and an existing sewer force main to also be within the road (after the fact) as shown on plans with the above referenced stipulations. Unanimous Vote in Favor.

Board Members reviewed a memo dated February 17, 2016 prepared by Board of Health Clerk Fran Lawrence listing the following Stable Permit Renewal:

54 Montgomery Street

Upon a motion made by Member Spratt and seconded by Member Maxim, the Board

**VOTED:** To approve the Stable Permit Renewal as listed on the January 20, 2016 memo. Unanimous in favor.

**Acceptance of February 3, 2016 Board of Health Meeting Minutes** – Members reviewed the minutes.

Upon motion made by Member Maxim and seconded by Chairman Poillucci, the Board:

**VOTED:** To approve the February 3, 2016 Board of Health Meeting Minutes as typed. Unanimous Vote in Favor.

### **Continued FY17 Annual Budget Discussion**

At the last meeting Chairman Poillucci asked Agent Perry to look into a couple of different software companies, gather some figures and present it for further discussion. Chairman Poillucci asked if anyone found a software program that will do what the department needs it to do. Agent Perry said he had a couple of proposals and the cost appeared to be around \$15,000. Chairman Poillucci said he spoke with Building Commissioner Darling who said that the software that the town is looking into does have a permitting module but does not have the capability to track various items. Agent Perry said there is the option to go with Barnstable County Health Dept. who would charge the homeowner of the advanced treatment system \$50 per year to track their maintenance and inspection contracts. Chairman Poillucci said the people who have these systems weren’t told about this when they had the systems installed so he felt it was kind of going backwards. He said he has been on the board for over six years and had never put in for anything. He said he will ask for the software program if it will do what the office needs it to. Administrative Assistant Lima asked if it was the Board of Health’s responsibility to track all of the various contracts for tight tanks and Innovative

Alternative Systems. Member Maxim felt it was. He mentioned maybe it would be more cost effective to have the Part-time Clerk bumped up to 40 hrs to handle more of the workload and continue to track the information on excel spreadsheets but begin sending out non-compliance letters. Agent Perry said with non-compliances enforcement is the hardest thing. He said we haven't been getting a lot of support from the courts or the town. He said we have to get tough and start condemning some of these houses that he has sent third and fourth notices on. He said he can be as aggressive as the board wants him to be. Chairman Poillucci said the town offers a betterment program that residents can take advantage of. He said the money is lent to people who can't borrow it on their own. But they need to apply. He said we just can't allow people to contaminate their neighbor's property. He said he wants to work with people, but we need to start enforcement. We can't just turn a blind eye. Member Spratt suggested having them come into a meeting to discuss why they haven't done anything. Member Maxim agreed. Member Maxim asked Agent Perry for a list of non-compliances. Agent Perry said he would put something together. Chairman Poillucci said maybe Charlie Kaniecki who is a retired District Health Officer from the Mass Dept of Public Health could come in and do some consulting. He said if he doesn't have a contract, he's not sure how we would do this and suggested Agent Perry talk it over with Town Administrator Garbitt.

Upon a motion made by Chairman Poillucci and seconded by Member Maxim, the Board:

**VOTED:** For Agent Perry to discuss with Town Administrator Garbitt should the Board of Health consult with Charlie Kaniecki can he be compensated from an existing account or does a contract need to be established. Unanimous in favor.

Member Maxim returned to the software discussion and asked if the software program was still on the table. He said it would be part of Capital Expenditures for FY17.

Upon a motion made by Member Maxim and seconded by Member Spratt, the Board:

**VOTED:** To approve the FY17 Board of Health Annual Budget as typed. Unanimous in favor.

Agent Perry said that he was approached by a company that does larvaciding and surveillance for mosquitoes and ticks. He said the state usually come in at the 11<sup>th</sup> hour and does the aerial spraying for adult mosquitoes. He said this company will come around in the spring and spray, but the cost is about \$40,000. Chairman Poillucci said the town already pays a certain amount towards the truck spraying. Member Maxim felt it was a great thing to do for the town, but it's a big expense.

### **BOH Vehicle Discussion - Capital Expenditures**

Member Maxim said the Board of Health currently has a 1999 Chevy Blazer vehicle that according to the Kelley Blue Book is valued at \$1,700. He said the town mechanic doesn't feel any more money should be spent on repairs to the Blazer, and he agrees it is in very poor condition. He said the vehicle is an embarrassment to the Town and feels a new vehicle should be purchased and have official Board of Health plates. He said he spoke to Town Administrator Garbitt and she said the Selectmen prefer not to get a new vehicle. They would prefer Agent Perry use his own vehicle, put a magnetic sign on it and be reimbursed for mileage. He said they are looking to save money for

the town, but he doesn't agree. Chairman Poillucci said he and two previous board members have tried in the past to get a new vehicle for the dept. Agent Perry said that about a year ago the board offered him a stipend which he was not in favor of because it was taxable. He said he would rather be reimbursed for mileage, (which is non-taxable). He said he has never refused to use his vehicle if the blazer was not operable. Member Maxim said he didn't know if that was even legal to ask him to use his personal vehicle. He said he was told by Administrator Garbitt that a proposal needs to be submitted. Members discussed the type of vehicle and agreed any 4 or all wheel drive vehicle, but it didn't need to be a pick-up truck. Chairman Poillucci said if Member Maxim is doing the research, maybe he could look into the cost of leasing a vehicle like the Assessor's Office does. Member Maxim mentioned the miles put on the Blazer in 2015 was approximately 5,000 miles.

Upon a motion made by Member Poillucci and seconded by Member Maxim, the Board:

**VOTED:** To adjourn the meeting at 7:03 PM. Unanimous vote in favor.