

Board of Health Meeting Minutes May 15, 2013

The Lakeville Board of Health held a meeting on **May 15, 2013** in the Lakeville Town Office Building. Present at this meeting were Board Members William Garvey, Robert Poillucci and Terrence Flynn. Also present was Health Agent Lawrence Perry, Board of Health Clerk Fran Lawrence and Administrative Assistant Jo Lima as Recording Secretary.

Chairman Garvey called the meeting to order at 6:00 p.m. and noted that this meeting was being recorded by Administrative Assistant Jo Lima.

May 21 Realty Corp.

(030-005-003A)

Richard Anthony

A request letter, dated May 7, 2013, was received from Jon Pink from Azor Land Sciences, Inc., requesting an extension of the approved proposed septic upgrade plans on file for Lakeville Athletic Club, as related to new facility flow from pools.

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

VOTED: To approve the request for a one year extension on the septic. Unanimous vote in favor.

A request letter dated May 15, 2013 was also received from Richard Anthony, Owner of Lakeville Athletic Club requesting to “*not have*” lifeguard(s) on duty at the clubs pools. Some discussion was held and Board Members did not feel comfortable waiving the lifeguard requirement for the facility.

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

VOTED: To deny the request to waive on duty lifeguards at the pools. Unanimous vote in favor.

Board of Appeals Petitions

Steven Donnelly – 31 Bedford St. - (024-004-005) - Petition for a proposed garage on an undersized lot.

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

VOTED: To send a letter to the Board of Appeals; stating that the plan provided by the applicant was not current and did not show the location of the existing on-site well. The Board recommended not releasing any permits until the applicant provides this information. Unanimous vote in favor.

Christopher Couture – 8 Oak St. – (041-007-007) – Petition for three bedroom system on undersized lot.

Member Garvey stated that Mr. Couture had previously attended the Board of Health Meeting held on April 3, 2013 where Board Members reviewed a proposed septic design at 8 Oak Street for an existing two bedroom dwelling that is in the process of renovation. The plan submitted was for a proposed three bedroom Presby mounded with retaining walls. The applicant also discussed the possibility of acquiring an

additional 20,000 SF of acreage from abutters, which would be needed to meet nitrogen loading for an increase from two - three bedrooms. At that time Board Members stated they could approve the variances including a vertical reduction to groundwater for a two bedroom system, however, if three bedrooms are desired, a revised plan would need to be submitted showing an even higher leaching system, along with the additional acreage to meet the required nitrogen loading. In addition, a local variance would also be needed for the increase in flow from the 30 mpi maximum percolation rate to the State maximum of 60 mpi. Since this building requires renovation and is partially “gutted”, the building permit can be signed off on at this time. The occupancy permit will only be signed by this office when a Board of Health approved septic design is installed and an approved water supply is confirmed.

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

VOTED: To send a letter to the Board of Appeals stating that the Board approved a **two-bedroom septic only** at this time. Unanimous vote in favor.

Gym Hutt Gymnastics Booster Club – Requesting license for a 3-day event beginning June 13, 2013 for outside tent sales and drawings at the Gym Hutt, 84 Pierce Ave. (7-1-4).

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

VOTED: To approve a 3-Day Event Common Victualler License. Unanimous vote in favor.

Renewal of Body Art Establishment Inspection Contract

Board Members reviewed the nurse’s contract for the body art establishment inspections.

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

VOTED: To approve the renewal of the Body Art Establishment Inspection Contract with Donna Palmer, R.N. as typed, and forward to the Board of Selectman for signatures. Unanimous vote in favor.

2013 Board of Health License & Permit Renewals **Milk & Cream**

Aramark Educational Services LLC / Apponequet High School
Aramark Educational Services LLC / Assawompset Elementary School
Aramark Educational Services LLC / Freetown Lakeville Middle School
Aramark Educational Services LLC / George R. Austin Intermediate School
Assawompset Golf Co. LLC **d/b/a LeBaron Hills Country Club**
Corporate Chefs, Inc. (Talbots)
Gulf Resources/Joe's Gas
Island Terrace, Inc.
Joseph R. Starr **d/b/a Starrs Country Market**
Lakeville Aerie No. 3994 Fraternal Order of Eagles, Inc.
Lakeville Golf Club, Inc.

MFH Acquisition of Lakeville LLC **d/b/a Dunkin Donuts**
Poquoy Investment Group LTD **d/b/a Poquoy Brook Golf Course**
Savas Liquors, Inc.
Sedell, Inc. **d/b/a Sedell's Pharmacy**
Somethin's Brewin' Book Café, Inc.
Tand, Inc. **d/b/a Subway**
The Back Nine Club LLC
The Sunshine Café
Tamarack Wine & Spirits, Inc.
Tutto Italiano, Inc.
Unidine Corporation (@ Ocean Spray Cranberries)

Vehicle Milk & Cream (Dealers)

H P Hood LLC
Bliss Bros. Dairy
Cape Dairy LLC dba White's Brothers All Star

Upon motion made by Member Flynn with Member Poillucci stepping down to second the vote, the Board:

VOTED: To approve the Milk and Cream and Vehicle Milk and Cream Licenses on memo dated May 15, 2013 from Administrative Asst. Lima. Unanimous vote in favor.

Appointment of Inspector of Animals

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

VOTED: To approve the nomination of Jared Darling as the Inspector of Animals and the nomination of Laurice Hedges as Alternate Inspector of Animals. Unanimous vote in favor.

Appointment of 2013 Arbovirus Coordinator and Back-up Coordinator

A questionnaire was received from the MDPH asking that cities and towns appoint a Primary and Back-up Coordinator to receive notification about any WNV or EEE positive specimens within the city/town.

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

VOTED: To re-appoint Health Agent Perry as Board of Health Arbovirus Coordinator and Board of Health Administrative Assistant Jo Ann Lima as back-up coordinator. Unanimous vote in favor.

Acceptance of Meeting Minutes

Board Members reviewed the minutes from the meeting held on April 3, 2013.

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

VOTED: To accept the Board of Health Minutes for April 3, 2013 as typed. Unanimous vote in favor.

Continued Discussion on Food Establishment Fees

(Tabled from April 3, 2013), Board Members reviewed proposed food establishment license fees recommended by Health Agent Perry on memo dated May 15, 2013. Upon motion made by Member Flynn and seconded by Member Poillucci, the Board:

VOTED: To amend food establishment license fees on the Board of Health fee schedule as follows:

Restaurants: small <25 seats - \$200, large 25-50 seats - \$300, x- large >50 seats- \$400

Retail only: \$100 per 5000 Sq. ft. (minimum \$100 if under 5000 sq. ft.)

Mobile: \$150

Residential Kitchen: \$150

Temporary (retail only): \$25 daily

Temporary (food prep limited to hot dog steamer, popcorn): \$50 daily

Temporary (larger scale-fairs, multiple food vendors): \$75 daily per vendor (**Not to exceed 1 week**)

Unanimous vote in favor.

Other Business:

Continued discussion on Seasonal properties

(Tabled from January 10, 2013) - Chairman Garvey suggested that a checklist should be created to help the homeowner when applying for year round occupancy. He will work on this with Administrative Assistant Lima. Member Flynn asked if there was going to be a minimum lot size requirement, but Chairman Garvey felt it was irrelevant and that these requests should be reviewed on a case by case basis.

Discussion on Board of Health Vehicle Allowance

The Finance Committee and the Board of Selectmen voted to deny the Capital item of a Pick-up truck for the Board of Health because they believe the utilization of the current Board of Health vehicle coupled with the current mileage reimbursement is more cost effective. A discussion was held in regards to the vehicle allowance. Health Agent Perry stated that he wanted to be reimbursed for mileage, but at the current IRS reimbursement rate of 56.5 cents, not the 50.5 rate that the Town is reimbursing him for. He said that he never agreed to the \$200 monthly allowance. He said that he uses his own vehicle when the blazer is being repaired and is reimbursed for mileage, and would have to do some research to see if it's worth it to take the \$200 monthly allowance. Chairman Garvey said the decision is up to him. He said if Larry is not comfortable with the figures, then he can continue to use the blazer, but if he takes the allowance, the blazer will no longer be available to him. Agent Perry stressed that he just wants to be compensated fairly. Chairman Garvey mentioned that the Town changes to the IRS Rate every 2 or 3 years. Member Flynn felt the town rate should changes when the IRS rates change, which he believed was twice a year.

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

VOTED: To leave the choice up to Health Agent Perry and for him to advise the Board of Selectmen of his decision before their next meeting. Unanimous vote in favor.

Additional Recommended Fee Changes

Health Agent Perry recommended a few changes in the fee schedule in regards to septic systems and wells. Board Members decided not to address the septic fee changes at this time. They did agree that all wells should require an as-built, including irrigation wells.

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

VOTED: For Health Agent Perry to review whether this could be instituted as a regulation or as a policy and that it will be voted on at the next meeting. Unanimous vote in favor.

Starr's Country Market

A request letter was submitted to the Board of Health Office on Mr. Starr's behalf, by installer Mike Redlon from G.S. Redlon & Son's, Inc. He was requesting a 30-day extension on the completion of the installation of the septic system at 78 Main St. Additional work would include necessary piping to tanks, final grading (including erosion control) and submittal of as-built plan, needed for the Certificate of Compliance to be issued.

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

VOTED: To send a letter to Mr. Starr stating he has until June 14, 2013 to complete the system and that failure to comply will result in fines. Unanimous vote in favor.

Health Agent Perry informed the Board that an intern will be available to us for the month of June to do research on Toxicology. He stated that the intern needs to write a thesis and needs a focus. They discussed different topics, i.e. Long Pond, Manganese, nitrate nitrogen and drinking water.

Vendor Warrants were signed by the Board Members.

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

VOTED: To adjourn the meeting at 6:50 p.m. Unanimous vote in favor.

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| ACCEPTED AS TYPED 6-12-13 JL |
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