



BOARD OF HEALTH MEETING

April 28, 2015 – 6:30 PM
Rockport Town Hall Annex

Present: Board members Dr. Sydney Wedmore, Dr. Russell Sandfield, Dr. Sydney Jimenez (arrived 7:15 p.m.), Health Agent Leslie Whelan, Mitch Vieira, Assistant Town Administrator, and Secretary/Clerk Marianne Peters. Also present were Isaac Rowe (Mill River Consulting for 140 South Street) and two members of the public (present but did not take part).

6:30 PM: Meeting called to order.

Minutes of March 24, 2014 meeting: Dr. Sandfield moved to accept; Dr. Wedmore seconded and it was voted unanimously to approve.

Community Concerns: None.

140 South Street Septic System Upgrade Variance:

Variances (to reduce setbacks) needed for septic system at 140 South Street. Mill River Consulting's Isaac Rowe designed the most suitable system for the property; a Waterloo BioFilter and a bottomless sand filter for the leach field. These will need annual maintenance. Dr. Wedmore asked about system freezing; Mr. Rowe stated that in total, there are about 30 bottomless sand filters in Massachusetts and only one has frozen and it was due to a lack of mulch/covering and exposure. Dr. Wedmore inquired as to what happens if the system does in fact freeze by chance; Mr. Rowe stated that the system will still work fine. As there will be 6" of stone as opposed to 9-10" soil, they will need to put system in a non-shady part of the yard. Mr. Rowe said that the maintenance contract (which also needs to be recorded on deed) will be revised to reflect the need to be in non-shady area. Disclosure of alternative system and maintenance contracts need to be received by the Board of Health and recorded at Registry of Deeds prior to Certificate of Compliance being issued. Dr. Sandfield motioned to approve; Dr. Wedmore seconded and it was voted unanimously to approve.

Proper Disposal of Dog Waste:

Discussion centered around dog owners not picking up after their pets. The Board of Health members asked that Health Agent Leslie Whelan request that the DPW have ample and enthusiastic signage, containers, and barrels (all seasons but in particular, warmer seasons) and to have emptied very regularly, and to contact neighborhood associations to ask them to be diligent in spreading the word and perhaps report those offenders that they see not following the rules. Currently, there is no barrel at Loblolly Cove; Health Agent asked to communicate to DPW to outfit the beach with one barrel. Assistant Town Manager Mitch Vieira offered that he would verbally address for periodic patrols and that he would encourage the animal officers to patrol.

Board Composition:

Drs. Wedmore and Sandfield discussed increasing the number of Board Members from 3 to 5 in an effort to preserve the institutional memory and longevity of the board members. Increased board member numbers also alleviates or eliminates recusal issues when 1 or 2 board members have to recuse themselves due to conflict of interest.

Health Agent Leslie Whelan was asked to research procedure on how to increase number of members according to state law or local ordinance requirements and to bring to next meeting.

New Staff and Member Trainings and Information:

New board member Dr. Sydney Jimenez and Administrative Assistant Marianne Peters, as members of the Board of Health, need to fulfill Emergency Preparedness online training through FEMA and to also familiarize themselves with Open Meeting Law and Conflict of Interest Training. Health Agent Leslie Whelan requested that the links to the ICS 100, 200 and NIMS 700 online training courses be sent to both parties and for them to complete the exercise/training course and get their certificates and have those on file. Marianne Peters has taken the Open Meeting Law webinar in March. Dr. Jimenez has, according to Town Clerk Pat Brown, completed her requirements for the Open Meeting Law upon induction as a member of the Board of Health.

Update to the Board:

Food Inspections:

In discussion about food inspections and the food inspector consultant, Dr. Wedmore asked that Laura Osmond, Food Inspector, be invited to join either May or June Board of Health meeting. Administrative Assistant Marianne Peters to coordinate with Food Inspector.

Sandy Bay Estates – Housing Violations:

Outstanding housing complaint discussed; Health Agent Leslie Whelan recommends that perhaps the next step is to take them to Housing Court for their infractions, violations, and lack of remediation on several violations and not living up to their end of the bargain as far as promises to remediate and process tenants' complaints in a timely and resolute manner. Health Agent to meet with Sandy Bay management on April 30. Dr. Wedmore stated that prior to going to housing court that a progress report be done by Health Agent and submitted to Board members for review. Health Agent Whelan to meet with Sandy Bay personnel and report back to Board.

Lane's Farm – Manure Odor Complaint:

Multiple neighbors have reported complaints about the large pile(s) of manure accumulating on the property and the offensive odor and the threat of flies and other problems associated with manure in particular as the summer heat comes on. Health Agent Whelan stated that the owner of the Farm (Ken Lane) has hired a lawyer to represent him with respect to issue. Health Agent stated that she would be meeting with the lawyer on April 30 to discuss the complaints, the health code, and other issues and directives. In 2001 one, owner Ken Lane was notified by the Board of Health of the health code and the Town's Stable Regulations. Dr. Jimenez asked Health Agent if it was possible/allowable for the manure to be disposed at the dump (Health agent replied affirmative). Dr. Wedmore stated that the manure should be covered with a tarp. Dr. Jimenez suggested that the manure be at the very back of the

property. Dr. Wedmore instructed Health Agent to resurrect the action plan/order which is still in effect, ensure its implementation, and notify him that he will be fined accordingly, on a daily basis from point of receipt of notification. Dr. Sandfield instructed Health Agent to inform owner Lane that the manure must be put in the back of the property. The next step is that the owner come to next Board of Health meeting and instructed Health Agent Whelan to notify him of such.

Next Meeting Date

Next meeting to be held on Tuesday, May 26, 2015. Agenda Meeting Date Tuesdays, May 12, 2015.

7:30 PM Meeting Adjourned.