



**Town of West Boylston**  
140 Worcester Street, West Boylston, Massachusetts 01583

## **The Board of Health Meeting Minutes**

<b>Date / Time / Location of Meeting</b>	03-13-2019 / 6pm / Room 127
<b>Members Present</b>	Robert Barrell, Michaun Fowler, John Sullivan, Beverly Salate
<b>Members Not Present</b>	N. Alan Harris
<b>Guests</b>	Phil Leger (WDPH/CMRPHA), Steve Jones (Animal Control Officer), Town residents: Eugenie Smith, Lou Pepi, Rich Simmarano and Kate Simmarano

Welcome – Call to Order

Time: 6:00 pm

**Approval of Previous Minutes**

February 2019 minutes were reviewed and signed

**Motion Originator**

Dr. Sullivan

**Motion Seconded**

Ms. Fowler

**Result**

Approved unanimously

- **Regulation for Non-commercial farm animals**

**Discussion**

Town resident guests attended to participate in the development of regulations for farm animals not addressed under the Right to Farm bylaw, which is for commercial farms, and overseen by the Agricultural Commission. Mr. Pepi clarified that the Right to Farm bylaw is for farms whose products are sold and provide income as described in the by-law. Mr. Barrell explained that the proposed regulations are being developed to address “backyard” farm animals that do not fall under the purview of the Right to Farm bylaw, and which the Board of Health and the Animal Control Officer deal with in response to nuisance complaints or issues with unsanitary or abusive conditions. Those present were given copies of a regulation from another MA town that the Board has started to adapt for West Boylston. An issue of primary concern is the frequency of nuisance complaints the Board receives for rooster crowing and lack of cooperation from some owners. Town resident guests expressed some concerns about regulations being too restrictive and provided ideas and opinions to assist with finding a solution. It was acknowledged that those farms that fall under the Right to Farm bylaw have oversight via those guidelines and would not be subject to the new regulations. Some ideas considered around limiting keeping of roosters were to ban them, to designate minimum of land required, or to require they be collared to reduce the noise. It was agreed that the most effective and least restrictive regulatory solution is to require roosters be collared in most residential areas to effect significant reduction of crowing noise. Another concern is that the Board of Health needs to know where animals are being kept in order

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to inspect conditions, therefore a nominal permit is being considered for anyone who keeps “backyard” farm animals. Mr. Barrell indicated it is not the intention of the Board to regulate the number of animals. He stressed that the regulations are a work in progress and requested that those present review the preliminary draft regulations and note any ideas to present at next month’s meeting.

Note: Town resident Dave Mercurio expressed interest in this process but was unable to attend the meeting. A copy of the draft regulations will be provided to him.

**Result** Dr. Sullivan will review the draft and provide feedback. Mr. Barrell will meet with Mr. Pepi and Mr. Mercurio to consider their input. Ms. Lee will update the draft based on issues addressed at this meeting and send the updated version to those in attendance and to Mr. Mercurio.

- **CMRPHA Local Report**

**Discussion** Mr. Leger reported there were 11 routine inspections this month, three of which were for new businesses: Recess, Nola’s Cajun Kitchen, and the Dogfather Food Truck. There were no critical issues. There were no complaints this month. Recess and Nola’s Cajun Kitchen are now open, and Recess will have Food Trucks available for customers at their site, the Dogfather, Travelin’ Bones, and Teddy’s Lunch Box.

- **CMRPHA Regional Report**

**Discussion** Mr. Leger reported that West Boylston will be hosting the Quarterly CMRPHA luncheon meeting this month, 04-17-19. There is a new Tobacco Control Coordinator, Joshan Niroula. The Board expressed interest in the Overdose Prevention Fund Meeting at held at UMass Medical School in February; Mr. Leger said he will find more information for the Board. Ms. Fowler, in relation to her interest in suicide prevention, talked about the importance of co-occurring disorders in the prevention of substance abuse.

- **Bill approval, Financial report**

Ms. Lee reported the Revolving Fund Account Balance. She presented one invoice for payment approval.

**Motion to Accept** Ms. Fowler

**Seconded** Ms. Salate

**Result** Approved unanimously

- **Budget update**

Mr. Barrell reported the Board’s request for \$9000.00 Budget Line Item will be presented at the upcoming Selectmen’s meeting in March as part of the overall Town Budget. He does not yet know if he will be called to defend the request at the Finance Committee meeting scheduled on April 1, 2019, and will keep the Board updated.

- **Office Report**

**Title 5 Projects** 385 Lancaster – Building Dept. Cease & Desist order still in effect.  
58 Prescott – Title 5 inspection passed; no update, house sold.  
307 Lancaster – new engineer, working on plans.  
228 Lancaster – work completed and inspected. As-built & Certificate of Compliance (CoC) promised by Engineer.

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**36 Shady Lane:** Plans submitted, approved; Mercurio contractor  
**11 Hosmer Street:** Plans approved; Mercurio contractor  
**21 Holt Street:** DSCP application approved for D-box replacement.  
**Title 5 inspections:** 185 Laurel Street - passed

**Other:**

- **290 Goodale** – Owner responded to 2<sup>nd</sup> notice, states he has scheduled Title 5 inspection for after ground thaws.
- **123 Lee Street** – question about follow-up after discovery that no as-built or CoC was submitted. No response from engineer or contractor.
- **60 Keyes Street** – File review revealed no As-built or CoC for new septic system completed 2014; contacted engineer, owner, and contractor. Owner may have them, but if not, everyone was fine with reproducing them.

**Other 2019 Permits**

- ABL Dancesport permitted; American Sewerage and Septic paid fine and permitted for 2019 Septage Hauling.
- Black & White Grill, of Spencer, will be leasing former Keeper's building. Ari's Tavern at former Finder's still a work in progress.
- Recess opened 03-07-19 with Dogfather Food Truck, Travelin' Bones due there 03-15-19 and Teddy's Lunch Box on 03-16-19. Nola's Cajun Kitchen opened 03-11-19.

**Tobacco Violations**

No new violations. Mr. Barrell requested information from Mr. Leger relative to the regulation around sale of flavored nicotine products, due to a question from one of the Selectmen who is advocating for a local business owner.

**Office organization**

Card file renovation in progress as time permits. Mr. Vignaly is also continuing to review files.

**OTHER & ONGOING**

- **West Boylston EDS tabletop exercise**  
Discussion Will take place April 2, 2019, 9am to 11:30am at Town Hall. The Board will provide coffee and assortment of bakery products.
- **Board of Health Regulations review**  
Discussion Tabled until next meeting.
- **PHEP Equipment relocation**  
Discussion The Fire Department moved the equipment from the Town Hall basement to the PHEP trailer. The Board is planning to reorganize the trailer contents; potential dates were discussed.

**MOTION TO ADJOURN**

<b>Motion Originator</b>	<b>Dr. Sullivan</b>
<b>Motion Seconded</b>	<b>Ms. Salate</b>
<b>Result</b>	<b>Approved 4-0</b>
<b>Time of Adjournment</b>	<b>7:26 pm</b>

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## Signatures

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Robert J. Barrell, MPA, Chairman

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N. Alan Harris, MD, Vice Chairman

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Beverly A. Salate, RN, BSN

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Michaun Fowler, BSM

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John Sullivan, MD

Submitted by: **Margaret Lee**  
Date Submitted: **04-10-19**

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