



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

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

<b>Date / Time / Location of Meeting</b>	09-11-2019 / 6pm / Room 127 & Room 120
<b>Members Present</b>	Robert Barrell, Michaun Fowler, Thomas Dillon, John Sullivan
<b>Members Not Present</b>	Beverly Salate
<b>Guests</b>	Philip Leger (CMRPHA); Town Residents: David Mercurio, Amy Marold, Sighle Philbin, Evelyn Absher, Daniel Mercurio, Don Varney
<b>Welcome – Call to Order</b>	Time: 6:00 pm Mr. Barrell convened the meeting in Room 127 and then moved the meeting to Room 120 to accommodate guests who attended to discuss the Non-commercial Farm Animal Regulations. The meeting was moved back to Room 127 at 6:50pm.
<b>Non- commercial Farm Animal Regulations</b>	
<b>Discussion:</b>	<p>Mr. Barrell started the discussion by informing those present that the Public Hearing last Month was followed by written feedback from a number of residents, both for and against the regulations. He then polled the Board members to see if they want to go forward with the Regulations; he asked each member if they think West Boylston needs these regulations. All present responded “yes”.</p> <p>Ms. Philbin, as a member of the Agricultural Commission, was asked to confirm that the Agricultural Commission has no jurisdiction over Non-commercial farm animals; their purview is with Commercial Farms. She noted that the Commission has not been meeting for some time due to lack of members, however they recently added two new members.</p> <p><u>Several concerns expressed at the Public Hearing in August were revisited by others in attendance, including:</u></p> <ul style="list-style-type: none"><li>- These regulations seem to duplicate other laws, regulations, or bylaws, such as State and Local Agricultural and Zoning.</li><li>- Inspections may be performed by unqualified person(s)</li><li>- Interpretation of regulations may be subjective</li><li>- Why regulations are needed for the relatively few instances of uncooperative residents when current state laws might be used, such as the nuisance laws, requiring complainant to seek redress through the courts. Also use of MSPCA for neglect or abuse.</li><li>- The regulations are too comprehensive, too long, for issues the Board typically addresses.</li><li>- That there will be too much oversight based on these regulations.</li><li>- Might it be better to provide a guideline limiting number of animals allowed per lot size.</li></ul> <p><u>Responses to these concerns included:</u></p>

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Board members responded that the regulations and fines are needed to have recourse with those who refuse to cooperate with directives, to avoid the time and cost of court procedures, and rather than focusing on only one or two typical scenarios, a history of issues the Board has dealt with was considered and it was determined the regulations should be as comprehensive as possible without being too specifically limiting. Reviews of regulations in other municipalities were used to form the basis. Dr. Sullivan responded to the complaint about the length of the regulations, pointing out that definitions comprise two pages and that there are only short sections about particular animals; the remainder are references to existing relevant laws, bylaws, and regulations.

One resident spoke specifically about her three year experience with a neighbor she states does not keep her chicken coop clean enough and as a result, she has had to endure the odor of chicken manure wafting into her yard and home on a consistent basis which has greatly reduced her quality of life. She lives in an area where the lots are under a half acre.

Mr. Leger commented that this type of situation is the result of poor manure and composting management. Common sense would dictate that those who live in areas where homes are in close proximity should be more vigilant about cleaning coops and chicken runs and treating their compost to prevent odor and fly infestation.

**Result:** Mr. Barrell thanked the guests for their input and stated that no vote on the Regulations would take place at this meeting.

**Reconvened in Room 127**

**Approval of Previous Minutes**

**Time:** 6:50 p.m.

Corrected July 2019 minutes were re-signed; August 2019 minutes were reviewed and signed.

**Motion Originator**

Mr. Dillon

**Motion Seconded**

Ms. Fowler

**Result**

Approved unanimously

- **CMRPHA Local Report**

**Discussion**

Mr. Leger reported 11 inspections in the past month; no critical issues were identified, however several were given directives to bring them up-to-date with the updated Food Code requirements. In particular, the need to have a prevention plan for Norovirus exposure was noted, as this was not required in the past. One complaint was investigated.

- **CMRPHA Regional Report**

**Discussion**

**General:** Millbury will be hosting the next Quarterly CMRPHA luncheon meeting October 16, 2019 at 12:30pm at the Asa Waters Mansion. The CMRPHA monthly update has info on community events throughout the Alliance municipalities and can be accessed via the Board of Health webpage.

**EEE update and recommendations:** The Board asked Mr. Leger to explain the sudden directive for spraying and also the rationale for curtailing public activities during dusk to dawn hours. Mr. Leger suggested the Board look into joining Central Mass Mosquito Control Program for next year. He referenced the findings of MDPH, MDAR.

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Based on the information he provided, a motion was made to mandate cessation of West Boylston school activities and public events after 6pm, effective immediately, until further notice.

Motion Originator

Dr. Sullivan

Motion Seconded

Mr. Dillon

Result

Approved unanimously. Ms. Lee will send an email informing the Town Administrator of the decision.

- Bill approval, Financial report

Ms. Lee reported the Revolving Fund Account Balance: \$38,949.14 includes August and September receipts to date, and presented two invoices for payment approval -\$1806.24 to City of Worcester, monthly Inter-municipal Agreement payment; and \$55.00 for postage.

Motion to Accept

Ms. Fowler

Seconded

Dr. Sullivan

Result

Approved unanimously

- Office Report

Title 5 project updates:

385 Lancaster – Owner (Pick-off) got approval from the Conservation Commission to raze the existing structure and build a new residential home. DSCP was issued 02-26-2018.

307 Lancaster, Bethlehem Bible Church – new engineer, working on plans, no update.

11 Hosmer – Plans submitted, approved; Mercurio contractor; has not started, no update.

290 Goodale – Owner reports getting financing for Septic system replacement and home addition next year, was told system is not a hazard and working okay for now; T-5 inspector confirmed; timeframe okayed by Phil and Bob.

205 Fairbanks Street – 2017 T-5 inspection - failed; soil test completed recently; DSCP submitted 07/17

180 Malden Street – 2015 T-5 Conditional pass (D-box); DSCP for component replacement received, finding contractor.

50 Hosmer – DSCP application submitted 08/13; Curtis Septic.

73 Prescott Street – failed system 2017, soil tests done and design by David Ross Assoc.; Owner in process of getting state loan, submitted DSCP 07/16.

67 Prescott Street – failure identified during pumping; application for soil tests received, David E. Ross Assoc. completing plans to upgrade system.

22 Brooks Crossing – Title 5 Insp. & DSCP received for D-box and Tank seal replacement – Wind River Environmental.

Title 5 Inspections – 22 Brooks Crossing – conditional pass;

61 Malden Street - passed

Other Miscellaneous:

34 Central Street – appears to be effort to meet sewer hook-up deadline of 10-31-19; plumbing pre-inspection completed.

45 & 49 Central Street – new owner working with DPW on sewer hook-up

53 Central St. – not yet connected to sewer, still in bankruptcy

6, 8, 10, 12 Holt Street condos - sewer hook-up completed; tank abandoned.

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24 Blake Avenue – safety concerns for owner/resident; CoA and Elder services following up; Fire chief and Building inspector plan to condemn home if repairs not done by November. Likely does not have running water based on current information. Website – posting info for mosquito borne viruses WNV and EEE.

Permits/Fees:

2020 Permit Applications sent out, Access database set up  
Ari's Tavern still a work in progress; no update.

Tobacco Violations: none recently.

Office organization update –to resume as time permits

- PHEP Equipment update

Mr. Leger had offered to deliver the equipment, however he suggested Katrina Stanziano may be able to bring it when she attends next month's meeting, and asked Ms. Lee to make that request of her on his behalf.

**MOTION TO ADJOURN**

Motion Originator	Mr. Dillon
Motion Seconded	Ms. Fowler
Result	Approved unanimously
Time of Adjournment	8:08 pm

**Signatures**

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Robert J. Barrell, MPA, Chairman

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Beverly A. Salate, RN, BSN

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Michaun Fowler, BSM

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John Sullivan, MD

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Thomas Dillon

Submitted by: **Margaret Lee**  
Date Submitted: **10-09-2019**

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