

**Board of Health Meeting Minutes
May 14, 2014**

The Lakeville Board of Health held a meeting on **May 14, 2014** in the Lakeville Town Office Building. Present at this meeting were Board Members William Garvey, Robert Poillucci and Terrence Flynn. Health Agent Lawrence Perry was present, as well as 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 and LakeCAM, to be televised at a later date.

73 Highland Ave.

(032-002-006)

Alan Butler

Jon Pink from Azor Land Sciences, Inc. was present for discussion. He said he was basically submitting modified plans that had been previously approved years ago. Mr. Pink said because there was a question about the original soil evaluations, there were more observation holes done. He said the system is being raised, the tank is being upgraded and he changed it to chambers to reduce the size of the footprint. Chairman Garvey said at that time, the board wasn't aware that the soil evaluator was not a valid soil evaluator, but that Health Agent Perry has gone out and done another perc since and he was aware that Mr. Pink and John Ashley had done another soil evaluation. Board Members and Agent Perry discussed and reviewed the plan dated November 15, 2008 received May 13, 2014.

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

VOTED: To approve the variance of witness to second percolation test and the variance of Regulation 4.4.a - Top of SAS shall not exceed 24" above the natural grade of the area of the percolation test. Unanimous vote in favor.

84 Pierce Ave.

(007-001-004)

EDC Gymnastics LLC

In a letter dated May 12, 2014, John Doyle owner of 82 and 84 Pierce Ave. requested a variance to re-connect to the well at 82 Pierce Ave. Chairman Garvey said that at one time 84 Pierce Ave. shared a well with the house at 82 Pierce Ave. Mr. Doyle was present for discussion and advised the board that a new well was drilled at 84 Pierce, but when he had the water tested in 2010 the gross alpha levels kept fluctuating. Chairman Garvey said the board had no issues with him re-connecting as long as a current passing water test gets submitted.

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

VOTED: To approve the re-connection of 84 Pierce to the well at 82 Pierce Ave.; subject to a current passing water test. Unanimous vote in favor.

2014 Board of Health License & Permit Renewals

Milk & Cream

Assawompset Golf Co. LLC d/b/a LeBaron Hills Country Club
Corporate Chefs, Inc. -Talbots
Gulf Resources, Inc. - Joe's Gas
Island Terrace, Inc.

Lakeville Aerie No. 3994 Fraternal Order of Eagles, Inc.
Lakeville Golf Club, Inc.
MFH Acquisition of Lakeville LLC **d/b/a Dunkin Donuts**
Savas Liquors, Inc.
Somethin's Brewin' Book Cafe
The Back Nine Club LLC
Tamarack Wine & Spirits, Inc.
Tand, Inc. **d/b/a Subway**
The Sunshine Café
Tutto Italiano, Inc.
Unidine Corporation (@Ocean Spray)
Walgreens #10269

Operate Semi-Public Pool (Pending Inspection by CPO)

Assawompsett Golf Co., LLC d/b/a LeBaron Hills Country Club

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

VOTED: To approve the Milk and Cream licenses and the Operation of a Semi-Public Pool license, (pending inspection by Certified Pool Operator) as submitted on the memo from Board of Health Administrative Assistant Jo Lima dated May 14, 2014. Unanimous vote in favor.

Lakeville Highway Barn - 8 Montgomery St. (018-002-002)

Plans for a septic upgrade at the Highway Barn were approved May 28, 2013.

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

VOTED: To waive the \$300 septic application fee and any associated inspection fees for the septic upgrade at the Lakeville Highway Barn. Unanimous vote in favor

Appointment of Inspectors of Animals

On April 9, 2014, Jared Darling was nominated as the Inspector of Animals and Laurice Hedges was nominated as Alternate Inspector of animals for the Town of Lakeville. The completed forms were sent to the State Department of Agricultural Resources for approval. Their Certificate of Appointments have been received and Board of Health Members now need to appoint them for a term expiring April 30, 2015.

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

VOTED: To approve the appointment of Jared Darling as the Inspector of Animals and the appointment of Laurice Hedges as Alternate Inspector of Animals from May 1, 2014 through April 30, 2015. Unanimous vote in favor.

Food Handling Certifications

Board Members continued the discussion from the last meeting regarding the certification of food handlers at all establishments in Lakeville that hold a food establishment license. Member Flynn asked about volunteers. Chairman Garvey said it

would include the parks dept and volunteers or anyone grilling food, but would not apply to the sale of prepackaged items. Agent Perry presented Board Members with a flyer from the Middleborough Health Department that listed their schedule for the Food Handler's Course that they offer. Board Members agreed to adopt the language listed at the bottom of their schedule and give the establishments until the end of the year to prepare for and submit the certificates to the Board of Health.

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

VOTED: To adopt the language listed on the Middleborough Health Departments schedule for the Food Handler's Courses requiring all food handlers be required to have training in food handling by the end of 2014. This includes: cooks, wait staff, dishwashers, bartenders, ice cream servers and anyone else who handles or prepares food within the food service industry. Food Protection Managers with current certifications are excluded from this requirement. Unanimous vote in favor.

Mosquito Adulticide Applications

A memo dated May 1, 2014 was received from the Plymouth County Mosquito Control regarding Notification of mosquito adulticide applications beginning sometime after May 31st and until September 3rd unless mosquito-borne diseases occur. Chairman Garvey announced the number for spraying requests is 1-781-585-5450, fax requests is 781-582-1276. The number for residents to access schedules and locations of adulticiding a day in advance to applications is 1-617-582-6219. Member Poillucci mentioned that it's more effective for residents to get their neighbors involved and coordinate spraying on the same day.

Administrative Assistant Positions Level I and II

Board Members sent a memo dated April 2, 2014 to the Board of Selectmen, currently acting as the Wage and Personnel Board, requesting written duties that differentiate Level I and II Administrative Assistant Positions in time for discussion at this meeting. Chairman Garvey asked if a response was ever received to which Member Poillucci said no. Member Poillucci said the Selectmen's Office was asked informally two months ago and a request memo was sent from the Board of Health after the last meeting. He stated that when he asked Chairman Powderly if they were addressing this issue at the Selectmen's next meeting, Chairman Powderly said no. Member Poillucci said he also spoke to Selectman Burke who said a letter was coming from town council, but that the employee would need to request this information from the union. He said that any discussions regarding positions or descriptions would have to go through the union. Board Members said they would have appreciated a written response from the Selectmen's office.

Acceptance of Meeting Minutes

Board Members reviewed the Board of Health meeting minutes from April 9, 2014

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

VOTED: To approve the Board of Health meeting minutes from April 9, 2014 as typed. Unanimous vote in favor.

New Business:

License Renewal

- May 21st Realty Corp. d/b/a Lakeville Athletic Club, 325 Bedford St. – (030-005-003A)
- Operate a Semi-Public Pool
 - Operate a Wading Pool
 - Operate a Spa

At the Board Meeting held May 15, 2013 Board Members approved a one year extension for a septic upgrade for the Lakeville Athletic Club. The renewal of their pool licenses was in question due to this expiring permit. Health Agent Perry said that when the pool was added, it was discussed whether or not it would be considered an increase in flow to the septic. The fact was brought up that there were sprinklers there and that the water usage wasn't reflected correctly. Flow meters were supposed to be installed the beginning of last summer, but weren't until just recently. He said Mr. Anthony is running the sprinklers at the same time every night and putting numbers together to show that there isn't an increase in flow to the septic. Board Members agreed to approve the renewal of the pool licenses pending inspection by a certified pool operator and grant a two month extension on the septic upgrade. Member Poillucci said they will review the water usage at the next meeting.

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

VOTED: To approve the Operation of a Semi-Public Pool, a Wading Pool and a Spa license, (pending inspections), as submitted on the memo from Board of Health Administrative Assistant Jo Lima dated May 14, 2014. Board Members **also voted** to grant a two month extension on the upgrade of the septic system until July 17, 2014. Unanimous vote in favor.

Tobacco Regulations Discussion

On December 13, 2013, the FDA completed inspections at three tobacco vendor establishments and issued warning letters dated March 27, 2014 regarding Tobacco Retailer Inspection Violations on. A letter dated May 13, 2014 was submitted to Board Members from Health Inspector Kevin Bernardo regarding Tobacco Regulations. His feeling is that because the Board of Health issues Tobacco Permits to tobacco vendors we should take a more active role in ensuring that the vendors are in compliance with the Lakeville Smoking Regulations and the sale of tobacco products to minors. He also stated in his letter that he would like to adopt some additional language to our current Smoking Regulations. Health Agent Perry said that in the past had spoken to Attorney Cheryl Sbarra from the Tobacco Prevention and Cessation Program and she encouraged the Board of Health to conduct their own inspections. Chairman Garvey asked if Health Inspector Bernardo has conducted inspections in other towns. Agent Perry said yes and that minors are hired to attempt to purchase tobacco products. Member Poillucci said we would need to determine where the funding would come from. Chairman Garvey said the Board of Health does have the authority to fine and said a procedure should be implemented. Board Members would like Inspector Bernardo to put something together. Member Poillucci noted that he would like Inspector Bernardo to research electronic cigarettes as well. Discussion tabled.

Other Business:

Cicero Drive

(059-007-020)

RPI Blueberry Estates

Health Agent Perry did a quick review of plans dated May 9, 2014, received May 14, 2014 for a proposed clubhouse. He told the Board that this is not new flow for the site as a whole, but would be new flow for the way they are proposing it. They want to pump into one system. Board Members and Agent Perry reviewed and discussed the plans. Board Members were questioning why they aren't just replacing the system that has been there the longest and suggested Agent Perry contact them to discuss why they are proposing it as such.

2 Bedford St. – (Former A-Frame Restaurant Location) - (024-008-001)

Chairman Garvey said it appears a new restaurant (Buppas) may be going in where the former A-Frame used to be. Renovations are taking place and the all the seating has been removed. Chairman Garvey said the septic was designed and permitted for 19 seats originally. Agent Perry said in 1998 the board at that time voted to increase the seats from 19 to 34 basing it on a fast food restaurant rather than a regular sit down establishment. He said the people currently leasing the building were asking how many seats the septic is approved for. Agent Perry said the system hasn't received any flow for a couple of years and it will be difficult to assess. Chairman Garvey recommended grandfathering them for 34 seats. Board Members agreed. Agent Perry asked the board if they wanted to mandate a Title V Inspection and Board Members agreed one should be done in a year. Member Poillucci suggested that Agent Perry make the people who are leasing the building aware of the history and whether their lease reads that they may be responsible should the septic need to be upgraded. Agent Perry said he would send them a letter.

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

VOTED: To adjourn the meeting at 6:45 p.m. Unanimous vote in favor.

ACCEPTED AS TYPED 6-18-14JL
