

**TOWN OF LAKEVILLE**  
**Board of Health Meeting Minutes**  
**May 18, 2016**

The Lakeville Board of Health held a meeting on May 18, 2016 at the Lakeville Town Office Building. Board of Health Members present: Robert Poillucci, Derek Maxim and Christopher Spratt. Also present: Health Inspector Kevin Bernardo. LakeCAM was recording for community broadcast.

Chairman Poillucci called the meeting to order at 6:00 pm and noted that this meeting was being recorded by Board of Health and LakeCAM.

**2016 Milk and Cream License Renewals**

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
Nako Corp. d/b/a Sunshine Cafe
Unidine Corporation(@Ocean Spray)
Walgreens #10269

Upon motion made by Member Spratt and seconded by Member Maxim, the Board:

**VOTED:** To approve the Milk & Cream License renewals as typed on the memo dated May 18, 2016. Unanimous vote in favor.

**Acceptance of May 4, 2016, Board of Health Meeting Minutes** – Members reviewed the minutes.

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

**VOTED:** Under section “**New Construction Perc Season**” to change from “there is one town to his knowledge” to “there is no town to his knowledge” and approve the Board of Health Meeting Minutes from May 4, 2016, 2016 as typed. Unanimous vote in favor.

**Tobacco Discussion**

Inspector Bernardo was present for discussion. He said after tobacco permits are issued the Board of Health provides the establishment with information ie: materials to post, regulations, training materials, explain fines etc. He said the FDA does compliance checks and the Board of Health is supposed to follow up once a year. He explained the process which included hiring minors to enter these establishments to try and purchase tobacco products. He said it’s the establishment’s responsibility not to sell to them, and this way we know that the program is working. He said rather than hiring these minors through the Town and having to obtain W9’s for each, there is a collaborative in Fall River that handles 13 communities and already has the kids trained. He said only one W9 would be required from the collaborative, but the Board of Health would do the enforcement. He said their fee is \$30, but the fee for Lakeville’s permit is only \$25 and would have to be increased. Chairman Poillucci asked members if they

felt this was a good idea. They agreed it was. Inspector Bernardo explained that the FDA had advised the Board of Health of violations for two out of eight establishments a couple of years ago when they did their compliance checks, but it stopped there. Discussion tabled to next meeting.

There was a short discussion regarding non-criminal disposition with regard to Board of Health Regulations and whether it needs to go to Town meeting. Health Inspector Bernardo stated that Town Administrator Garbitt is looking into this. Chairman Poillucci continued this to next meeting.

**Loon Pond Lodge and Snack Stands** – Tabled from last meeting.

Inspector Bernardo was present for discussion. He said he went out to Jon Paun Park to do an inspection of the snack stand which they were not prepared for. There was discussion about vending machines being placed there. Ted Williams and Clear Pond snack stands still need to be addressed.

Members also discussed ongoing food establishment issues as pertaining to the caterers operating out of the Loon Pond Lodge. Chairman Poillucci said files are still deficient of required documents from all seven caterers on the current list. Members are concerned both about public safety and town liability. After a brief discussion, they voted to give the Parks Dept. until the next BOH meeting to obtain any missing documents from their caterers. Any caterer that does not have all required documents submitted will not be considered an “approved caterer” in Lakeville, and cannot operate at the Loon Pond Lodge. They should be removed from the current list and told to discontinue operations until such time they can meet BOH requirements.

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

**VOTED:** To send a letter to the Parks Dept. advising them that all required documentation from their caterer’s is to be submitted by the next meeting or they will be in violation of State and local public health regulations and subject to legal action and any associated prosecution. Unanimous vote in favor.

**2 Morrison Way** - Tabled from April 6, 2016 meeting

Chairman Poillucci said the required documentation for a betterment loan for this septic repair is on its way from Europe and continued the discussion to next meeting.

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

**VOTED:** To approve an extension on receipt of required documents until the next meeting. Unanimous vote in favor.

Members reviewed and agreed with the changes (in bold) being sent to the Central Register and the DEP with regard to Percolation Tests and Title V:

**1. Subsurface Sewage Disposal Systems:**

**1.1 Title V Inspections and Fees – Title V Inspections (performed by a State certified inspector) must be scheduled with the Board of Health. Prior to the inspection the appropriate application and a \$50 applicable review fee must be submitted. Incomplete inspection reports received in the office will not be accepted.**

#### 4. Percolation Testing and Soil Evaluation

**Delete 4.0 Percolation tests shall not be performed during the period from June 1<sup>st</sup> extending to December 1<sup>st</sup> except when the Board of Health determines that such a test is necessary in order to repair or replace an existing sewage system and therefore apply to new construction as defined in Title V. (Revert to Title V)**

**Delete 4.1 Soil with a percolation rate over thirty minutes per inch is considered impervious and unsuitable for the subsurface disposal of sewage for new construction. (Revert to Title V)**

**Delete 4.4 Systems to be designed requiring a leaching system will require deep observation holes in the following manner:**

- a. **The system shall not exceed 24” to the top of the SAS above the natural elevation at the location where percolation test was performed”.**

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

**VOTED:** To adjourn the meeting at 6:41 pm. Unanimous vote in favor.

ACCEPTED AS TYPED 7-6-16JL
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