

Meeting Minutes

Board of Health Meeting: October 2, 2019

In attendance: Katie Goldrick, Kat Tribulski, David Reilly, Abbey Myers

Open meeting: 7:00pm

Katie Goldrick: Going to begin with a discussion on Marijuana regulations, and vote to allow an extension for the subcommittee to submit them to the Board of Health.

Abbey Myers: There is a five-person board and they can answer any questions. They are working on defining what a violation is. Once those regulations are finished there will be a walk-through and the subcommittee will vote to submit it to the Board of Health. It does not need to go to the town meeting, we can do it with the regulations. It will be fine because it can go under smoking.

David Reilly: Motion to extend.

Katie Goldrick: Second the motion.

Katie, Kat, David: All in favor.

Katie Goldrick: Discuss the marijuana guideline. They have been meeting the past few weeks and they want us to adopt them. The bylaws are available for the public to see. Abbey can send them. Those are only for medical.

Kate Goldrick: We have a marijuana cultivation site here in town. They are actively growing and are just waiting for their last permit. They are not ready for sales yet, but they are very close.

Katie Goldrick: Starting with algae blooms.

Abbey Myers: The state public health lab does not test for algae bloom, so once we have an idea that the algae bloom is over, we can a company and have it sent out. It is cold and is going to rain, so Friday is the best day to check this out.

Katie Goldrick: We can discuss this more at the next meeting.

Katie Goldrick: Discuss the Health Fair.

Abbey Myers: This is going to be on Sunday, October 20th from 11 - 2. There are about 15 to 18 different vendors. Some are support groups, hospital and local businesses. The main thing is prostate cancer. We have a couple different doctors and researchers doing presentations as well as Q&A. There is food, refreshments and activities.

Katie Goldrick: Vaping Order.

Abbey Myers: The vaping orders were sent out last week. There are no updates from DPH. A tobacco license is in jeopardy of vaping products are sold.

Katie Goldrick: We should do spot checks.

Abbey Myers: Agrees to do this next week. There are about 8 in total that sell these products. They all signed when they got their letters.

Katie Goldrick: Title 5 process.

Abbey Myers: We got a couple more applications to do repairs or updates on Title 5. I was thinking that instead of us paying an outside person to do a soil evaluation, we would have the companies get their own soil evaluator and give us the recommendation of what they find. Then we can grant it. This saves a couple hundred dollars every time so when we do this. They have to pay a permit which costs \$150 and they need two.

Katie Goldrick: This is the same thing we were doing before, but we are putting the cost on them and we are getting the fee.

Abbey Myers: I am taking the title 5 class in November.

Katie Goldrick: So, this is a short-term solution. I have no problem with putting that on. There is no vote needed for this. We should try to find out what other towns charge to see if we should increase the permit fee.

Kat Tribulski: Agreed this is fine for the short term. After the training then we can re-evaluate.

Abbey Myers: There are two things: soil evaluation and title 5 are two separate licenses, but they are used almost for the same thing. The soil evaluation course is full and is not offered again until the spring, so just taking the title 5 for now.

Katie Goldrick: Provide the board with the requests so that were aware of who's being done and then we can sign off on just allowing them to do it before it's done. We will push this off for another two weeks.

Resident: Has a concern about the liability to the Board if someone uses a title 5 company that they have a previous relationship with, but who doesn't have the Board and Holbrook's best interest in mind.

Abbey Myers: We can have them pick from a list of soil evaluators that we know and have worked with before. We can use Avon.

Katie Goldrick: Using Avon is a good idea, especially since we already have a relationship with Kathleen. We still continue to use Kathleen for the short term.

Katie Goldrick: Update on dumpster permits.

Abbey Myers: We have the businesses and addresses of the dumpsters. This morning I received 3 more permits and their fees. They still have 20 days to bring in there permits. There were 300 letters sent out, and it is unrealistic just for one person to go check out all the dumpsters. Perhaps some numbers or Board members or other volunteers could go around to see which places have dumpsters that have not paid their permit fee. This will be enforced from now on.

Katie Goldrick: Let's add the compliance for our bylaws too.

Katie Goldrick: Updates on Old Castle.

Abbey Myers: A fine was sent out last Friday. When we were in court talking to the lawyers about the numerous complaints we get – the issue is we cannot take the residents word for it. We have to have an official - someone from the Board of Health me (Abbey) an officer or someone who is an employee like the building inspector - someone who can verify that they were violating the bylaws. I am working with some people - if you send me a picture or video with a date and time stamp that would help back this up.

Katie Goldrick: Suggests also calling the police.

Kat Tribulski: Encourages people to do both – take video and call the police because by the time the police arrive the incident could be over. If you have a video, there is still documentation.

Resident: Can hear loud bangs in her yard.

Katie Goldrick: This went to the Board of Health and now the planning board, so they had a special condition permit _____, so the planning board has stopped operations overnight. It doesn't really matter what sound level if they're open, they are in violation.

Resident: Wants to discuss the bylaws about nuisance.

Katie Goldrick: Suggests talking about the regulations.

Abbey Myers: I pulled from the Quincy Health Department – the rat one. We are getting a lot of rat complaints. There is nothing in the sanitary code that allows me to into people's houses, but I can look from public property or if someone allows me on their property. There are no regulations allowing me to tell a business to clean up their property. We can suggest it to them, but we cannot tell them because it is their private property. The issue is the Mass General law says that a board of health agent or designated agent can get rid of a nuisance, but it doesn't explicitly define what a nuisance is. This is where the litter regulations come in.

Katie Goldrick: We are talking about adding to the Town of Holbrook regulations within the Board of Health. This would be another public hearing within our board in order to get something on the books.

Abbey Myers: I want to explain the process of regulations. There is an 8-step plan adopt a regulation for the Board of Health. Step 1 is to identify the issue. We have to set a date for a public hearing and it needs to be in the newspaper for 14 days before the public hearing. This also needs to be in the newspaper a week before for a total of 3 weeks before the hearing. Then we will have a board of health meeting. Citizens can come in and they can state their grievances and anything they don't like. The Board can take that into consideration. Usually, the meeting is closed after the residents are done, and they talk about it at another meeting, but legally you do not have to do that. You just have to hear them out. You can vote on it then; you can make it contingent with the recommendations or the changes or pass it as. The hearing just has to happen 14 days before. You vote on it; it is recorded and we have the minutes sent to Mass DEP. They publish it for 14 days that we are adopting this, and we it's about a month or two when it starts.

Katie Goldrick: Let's take litter - we have to identify what a nuisance is. A nuisance is any substantial interference with common interests of the general public in maintaining the safe sanitary structures and neighborhoods. I would like to include health into. The overgrown vegetation which may harbor rats and vermin, concealed pools of stagnant water or other nuisances or which is otherwise detrimental to neighboring properties, and add property values. You have to identify at what point it become a nuisance.

Katie Goldrick: We have to consider all the language.

Resident: Is concerned about the holding pond behind 99 High.

Katie Goldrick: We can have that area specifically sprayed by the county.

Abbey Myers: They are done with town-wide spraying as of two weeks ago. We might be able to get them to do it, but we haven't had enough cases for to warrant it.

Katie Goldrick: We have to wait until this is an order and, on the books, before we could go out and do anything.

Abbey Myers: By then we would probably have to wait until the spring because even if we started this tonight, it really wouldn't get into effect until December. At that point there's no real nuisance to it. An example of Taunton's nuisance bylaws "The owner or person in control of any private property or business property shall at all times maintain the premises free of litter, provided that there is a section that shall not prohibit the storage of litter in an authorized private receptacle for a collection or otherwise provided by the law".

Katie Goldrick: We should add at the end of business day.

Abbey Myers: Refer to the section – "that a reasonable person would believe had been discarded otherwise left outside and covering both the weather and unused from the purpose". We can change the language to fit that and more defined as properties that have cigarettes and wrappers everywhere. That is your private property, but you also still have to maintain your business. The city of Taunton is the best and closest you're going to get.

Kat Tribulski: We get so many complaints and unfortunately, we have nothing we can do because there are no bylaws. Theirs may be too strict, so I we will have to write our own.

Abbey Myers: Litter is going to be ongoing one for us to work on.

Katie Goldrick: I agree.

Kat Tribulski: Can you draft something to draft something and combine the information from Taunton and the feedback you have.

Abbey Myers: For the sound ordinance - we need to work on those if you want these to be in effect before 9 to 10 months.

Katie Goldrick: Move onto the sound ordinance. Kat and DEP have both made edits to the ordinance. There was a discussion about the ordinance.

Abbey Myers: Some of the major points, discussion and edits of the ordinance with all members: A. No person shall make or cause to be made any unreasonable or excess noise in the town of Holbrook by whatever means or from whatever means or are from whatever source. Here in the following term shall have one of the following meetings: DBA shall mean a weighted sound level in decibels as measured by the general-purpose sound level meter complying with the provisions of the American National Standards Institute specifications for sound level meter ansi 19711 properly calibrated and operated on the A waving network. B. Loud amplification device or similar equipment shall need a radio, television, stereo, tape player, cassette player, compact disc player, MP3 player, loud speaker, sound amplifier, electronic device or any other similar apparatus or equipment operated in a manner that creates excessive noise. C. Unreasonable or excess noise shall be defined as broadband sound level measured in an excess of 50 DBA between the hours of 9 p.m. and 7 a.m. or in excess of 70 DBA all other hours from the nearest property line of the source. 1. Broadband noise - how long is it measured - LEQ for 10 minutes from the property line of the source. 2. Increases of the broadband sound leveling by more than 10 DBA above ambient sound level at the source. 3. Produces pure tone condition exceeding 3 decibels at the property line of the source. 4. In the absence of applicable full noise level standards or regulation of the Air Pollution Control Commission any noise plainly audible at a distance of 300 feet or in the case of loud amplification devices or similar equipment noise plainly audible at a distance of 100 feet from its source by a person's normal hearing. D. A noise is defined as sound sufficient intensity and or duration as to cause a condition of air pollution. E. Air pollution means the presence in the ambient air space of one or more air contaminates or combinations thereof including sound in such concentrations of substations as to cause a nuisance or be injurious on the basis of current information potentially injurious to human health or animal life to vegetation or properties or interference with the comfortable enjoyment of life and property or the conduct of business. H. Harm or injury or is that is annoying, unpleasant or obnoxious. C. It shall be unlawful for any person or persons in a residential area in the Town of Holbrook to allow unreasonable barking from a dog(s) in excess of 10 minutes on their property. Remove limit for multiple dogs. If the owner of the dog(s) does not attempt to silence he dog(s) a fine shall be given. This will be enforced by the Animal control officer or the police department. D. It shall be unlawful for any person or persons in a residential area within the Town of Holbrook to leave a motorcycle, dirt bike, any ATV or any other vehicle that is considered to be a recreational off-road vehicle in the idle position for more than 5 minutes.

Katie Goldrick: Draft the notes and all will have to sign, and then we will take a vote on the noise ordinance in public hearing. Next meeting November 6th.

a hearing and accept it that night contingent on no major issues from residence we're talking another October meeting or hell my one question but I'm not a dozen so if we get it in the newspaper for anytime in the end of October or the beginning of November what's the last Wednesday October 30th just getting the first full week of November first week in November first full week in November so like the sex I just can't I can't I'm sorry I can't so normally our meeting was at 6:30 I was always like at the line. I know I know Dave 7-Eleven love it so I will text everyone when societies but it really doesn't see ready if you make the motion, it does not need to be signed until the night of the phone so I can put it in the newspaper and the next week and be fine make some ocean Sofia to changes us I suck a date motion all in favor so badly if you can just drop them all right how to say that any new visits from the board meeting present, questions question in regards to

David Reilly: Motion to accept the changes as discussed.

Katie Goldrick: Second motion.

Katie, Kat, David: All in favor.

Resident: Question on Old Castle. Are they going to continue with the new enclosure?

Abbey Myers: That is more of a planning board because they were the ones who ordered it, but as far as I know I don't think planning board has anything else.

Resident: Question on 55 High. Has anyone been by there?

Abbey Myers: I was there last Tuesday.

Katie Goldrick: Asks for 3 items that need to be addressed:

Resident: The windows - the plastic is all over the place. They say their permit is still good from 2016 - can it be?

Abbey Myers: That is the planning board. I was there on Tuesday and I took more pictures I did send them over to Jeff and I call a couple times a week to follow up.

Resident: Also 99 High.

Katie Goldrick: Will email to follow up.

Kat Tribulski: Motion to close the meeting.

Katie Goldrick: Second the motion.

 6/1/21