

Town of Dudley
BOARD OF HEALTH
August 15, 2017 @ 6:30pm
Dudley Municipal Complex – Room 315
71 West Main Street, Dudley, MA

Some matters may have been taken out of agenda order but were typed up in agenda order for ease of locating information when necessary.

Call to Order

Chairman Jennifer Cournoyer called the meeting to order at 6:30pm. Board Members in attendance were Roberta Johnson.

1. Accept Minutes of June 22, 2017 meeting - Ms. Johnson motioned to accept the minutes of June 22, 2017. Ms. Cournoyer seconded. Passed unanimously.
2. Region 2 Emergency Preparedness - Nothing new to report at this time.
3. Re-Appointment of Mark Bartel as Town of Dudley Burial Permit Agent for FY 2017/2018
Mr. Bartel has requested to be re-appointed to the position of Burial Permit Agent for the Town of Dudley. Ms. Johnson made a motion to re-appoint Mr. Bartel as Burial Agent. Ms. Cournoyer seconded. Passed unanimously.
4. Ongoing 87 Ramshorn Road Dirt Bike Riding Noise Complaints
In attendance were Mr. and Mrs. Mehdi and Marie Safaee of 73 Ramshorn Rd. and Attorney Thomas Brousseau on their behalf. Attorney Brousseau provided the Board with information on the Safaee's health conditions along with their summary of the activities that have taken place regarding the dirt bike riding on the property located at 87 Ramshorn Rd. He noted that the Dudley Police Department had been called on several occasions and were either unable to locate the riders, or felt they were unable to take action to stop the dirt bike riding. Copies of police reports, referred to on several occasions, were not provided to the Board. Attorney Brousseau further stated that the Safaee's wish the Board to issue a cease and desist of all motorized vehicles to Mr. Simpson as he has not abided by the verbal agreement to keep the dirt bike riding a minimum of 100 feet from the property line.
Ms. Cournoyer confirmed with Mr. Purcell that he spoke with Mr. Simpson, that he had agreed to keep the dirt bikes 100' from the property line, and that the notification to the Board Members outlining his meeting and agreement with Mr. Simpson had also been forwarded to Mr. Simpson via e-mail. Mr. Purcell suggested that with the Safaee's permission, he could enter their property to view signs of recent activity to confirm that the verbal agreement had been violated. Mr. and Mrs. Safaee agreed to allow this, but felt there would be little recent evidence as Mr. Simpson was aware of their meeting with the

Board of Health. Mr. Purcell felt there should still be visible evidence, even with the recent rain activity. Mr. Purcell also described the process that was used to take the initial sound readings, and noted that only one reading that day measured above what is allowable, which does not qualify as 'gross obvious constant noise' required to issue an order to hire an acoustical engineer, as advised by the DEP.

Ms. Cournoyer and Ms. Johnson have questions they would like to ask of Mr. Simpson before any further action is taken. It was determined that Mr. Simpson would be issued an order to appear in front of the Board at the next meeting to be held on Tuesday, September 19, 2017 at 6:30pm in room 315.

5. Review Septic Plan for 57 Mill Rd.

In attendance were Mr. and Mrs. David and Phyllis Guerrier. Mr. Purcell explained that the current plan was submitted by Seth Lajoie on behalf of the Guerriers in 2015. It was rejected because the water and sewer line were crossing without absolute need, and because the design as currently drawn, fails to meet requirements of Title 5. Mr. Lajoie was notified of the plan issues and re-design requirements at that time. Mr. Lajoie is no longer designing septic systems, and has been unreachable by the Guerriers to make the necessary corrections to the plan. For Mr. Purcell to make the necessary changes would be illegal as an employee of the Town of Dudley Board of Health. He would however be happy to discuss the plan requirements with a new engineer, once selected by Mr. & Mrs. Guerrier. A plumber could move the water line, and/or there is sufficient land available to move the proposed system tank to the other side of the house, eliminating the exterior cross-over. The presence of these options eliminate the extreme hardship requirement of Title 5 Law.

Mr. Purcell explained that only in extreme hardship cases may water and sewer lines cross, with very specific requirements for that crossing. Because the property at 57 Mill Rd. has town water, this crossing could put the entire town of Dudley's public water supply at risk of contamination. Mr. Purcell stated the lines may cross inside the house without issue, but not outside the house.

The Board agreed to provide Mr. & Mrs. Guerrier with a copy of the meeting minutes with the above details. Mr. Purcell agreed to speak directly with the new engineer, when chosen, to outline the requirements for a system to be Title 5 compliant at this property without the septic and water lines crossing on the exterior of the property.

The Board agreed with Mr. Purcell that a septic permit would not be issued for the current design plan.

6. Health Inspector's Report

A. A final audit report for Yummy Chinese was received by the Board. The report was excellent and the Board are very happy with the outcome.

B. WRTCC will be doing Tobacco Compliance Checks at the end of August. There will be a meeting on Tuesday, September 12, 2017 to discuss funding and community assistance programs from 1:00 pm -

3:00 pm at WDPH, 25 Meade St. in Worcester. Ms. Cournoyer will plan to attend and pass on the information to Mr. Zajkowski. Mr. Purcell will RSVP on behalf of the Board.

C. Another complaint about the condominiums on Wysocki Drive was received by the Board. Mr. Purcell went out to investigate and did find a box spring and mattress, and a large piece of exercise equipment outside the dumpster area. No other issues were seen. Ms. Cournoyer stated that a phone message was left for her on Sunday stating the items were still there. Clerk to send a reminder to Mr. Luksha that bulky items cannot be stored outside.

7. Old Business

A. Nursing Services - Left a message for Sutton Nursing Services week following meeting with requested information, never heard back. Did not receive a contract proposal, as requested. Mr. Purcell will follow up with their Nurse for status. If no action by next meeting, will continue with Harrington Health Services and revisit next year.

8. New Business

A. Flu Clinic is being planned, we are looking at dates. It will be announced as soon as possible.

B. Rabies clinic is also in planning stages. There will be no dog licensing at this clinic, but will prepare residents for January license requirements. Watch for details coming soon.

C. Food Service Inspections will be starting shortly. Ms. Cournoyer asked the Board be notified for an opportunity to join Mr. Purcell.

D. The Board Members recently attended a training by 24 Trauma. Shortly after, 24 Trauma's services were needed locally. The Board was impressed with their services. They did everything exactly as they said they do during the training.

Ms. Johnson made a motion to adjourn, Ms. Cournoyer seconded, unanimous vote. Meeting adjourned at 7:31pm.

Next Meeting - Tuesday, September 19, 2017 at 6:30pm, Room 315