

Board of Health  
Meeting Minutes

**Date & Time:** July 24, 2018, 6pm, Town Hall, Conference Room A

**Board Members:**

Margie LaFleur, Chairperson; Phil Durno, Member; Virginia Malouin, Member

**Staff:**

Kalene Gendron, Brynn Montesanti

**Attendees:** See attached list.

Mrs. LaFleur opened the meeting at 6PM and announced the meeting is being televised by Pepperell Community Media and recorded by the Board secretary.

7/24/2018 - Minutes

1. **Working Session: 6:00 - 6:05PM**

2. **Acceptance of Minutes**

a. 6/19/18

Mrs. Malouin motioned to accept the minutes, Mrs. LaFleur seconded. All in favor. Minutes accepted.

b. 7/3/18

Mrs. Malouin motioned to accept the minutes, Mrs. LaFleur seconded. All in favor. Minutes accepted.

3. **Appointments/New Business/Action Items/Permits**

a. 6:06PM - 19 Jersey Street - seeking permit for temporary trailer

Mr. Murphy requests to be provided with all documents related to this matter. States he was requested to be seen here at this meeting and has not been provided with any information pertinent to this.

Mrs. Gendron asks if they called office requesting documents. Mrs. Murphy stopped by office on July 19 and received copies of two letters in file.

Mrs. Murphy states they never received letter dated July 5 in the mail, the Board confirmed the mailing address and it was correct.

Mrs. Gendron asks if they felt that they had adequate access to their file. Mr. and Mrs. Murphy state no. Mrs. Gendron recommends to board they should continue this next meeting. Mrs. Malouin states she would be in favor of continuing this at tonight's meeting. Mr. Murphy wants information first prior to continuing request. Mrs. Malouin points out that we have a letter from Mr. & Mrs. Murphy dated July 9.

Mr. William Murphy, 34 Main Street asks if someone is allowed to live in trailer during this waiting period. Mrs. Gendron says we aren't allowing it or disallowing it, it's under review.

Mrs. LaFleur requests that they be added to agenda for 8/7/18 meeting.

- b. 6:10PM - 9 Rileys Way Lot#17 and 10 Rileys Way Lot#18 - new septic system

Mrs. Gendron states she has reviewed these plans and recommends that the board votes to approve the plans for new septic system.

Mr. Durno motions to approve plans. Mrs. Malouin seconds adding that Mrs. Gendron may sign on behalf of the Board. All in favor.

- c. Secretary hours

Board suggests that the secretary hours be discussed between Ms. Montesanti and Mrs. LaFleur and upon such time they are agreed on the hours be updated on website and posted to office door.

#### 4. **Correspondence**

#### 5. **Health Agent Comments**

#### 6. **Matters That May Be Raised That the Chair Didn't Reasonably Anticipate**

Grover Pillsbury, 18 Maple Street - He understands that there were a lot of inspections done in May and June and that Mrs. Gendron had a family emergency that delayed paperwork getting done. These inspections were in regard to housing violations, reports, etc. Mr. Pillsbury is asking if a Board member can attend inspections so that someone can actually respond to public. Mrs. LaFleur asks if he can provide a specific address or whom is referencing. He states it is 18 Maple Street Lot 15, it was a time sensitive matter. He further stated that neither office had a copy of the inspection report. Mrs. Gendron assures him she will talk to resident and determine exactly what happened and will follow up. Mrs. LaFleur understands his concern, apologizes and ensures him the office will follow up.

#### 7. **Old Business**

- a. Nashua Road gravel reclamation discussion

Mrs. LaFleur to Mrs. Gendron, is there a history to any of this?

Mrs. Gendron would like to clarify timeline, in May she was contacted about a vague project on Nashua Road, she went to Planning Department (Steve Parker) and was told that there was a proposal and that it wouldn't be approved because of zoning regulations. On July 2, Board of Health was officially notified. On July 6 Mrs. Gendron spoke to DEP, Mary Jude Pigsley and was given 75 page Terra packet at which time the residents were provided access to the same packet.

Mrs. Gendron recommends that the Board start to look at drafting regulations and also asks if they have any other town's regulations that they like and would like to use as a guideline.

Mrs. LaFleur is asking other Board members if they would like to review and adapt regulations.

Mrs. Malouin states her understanding is that the Board of Selectmen are meeting July 30 with an environmental attorney and that Mr. Moak says they do have a working draft of regulations that can be used. Mrs. Malouin further explains that her concerns are that the Board is not qualified enough to create regulations of this nature; they have to be error free, of substance that will stand up in court and if the town has a group of experts then it would be cost effective to pursue that direction to protect the public health for the residents of Pepperell. Board of Health needs to look at this working draft of regulations and ensure they pertain to the Board of Health. Board of Selectmen may need to draft a by-law instead.

Mrs. LaFleur is concerned if we don't button down some regulations that something will slip through the

cracks so to speak, there are personal concerns and would like to see what the Town Administrator's counsel has to present. Also expresses an interest to know history of this gravel pit and property in general. Mrs. LaFleur wants to ensure residents that the Board wants to protect public and environment, she understands the concern.

David Lavender, 19 Deerfield Drive - wants to know the sense of urgency? Inquires if the Board of Health and Board of Selectmen can do a joint meeting? Is there a possibility that they can just start filling with these toxic soils and increase cost to town? Mrs. LaFleur acknowledges concern, Mrs. Malouin suggests not to impede, be careful and to allow town counsel and Board of Selectmen to move forward as they have been. Mrs. Malouin expresses her thought that the next Board of Selectmen meeting was an executive session.

Mrs. Gendron says Board could not take any action and she can go to team meeting and report back to Board on next meeting date of 8/7/18. Mrs. Malouin says this team is composed of many people that will do their best to protect the town and its' residents.

David Kent, 23 Seminole Drive - asks if Board can do a temporary halt to project, this was thrown on the public so quickly. Ensure that the "i's" are dotted and "t's" are crossed. Thinks the Board should be able to take the time the Board needs to make sure it is done correctly. Mrs. Gendron reminds them they can't stop something that hasn't started and further that we do need time to sort through all of this and make the best decisions we can for the town and to protect the town.

Mrs. LaFleur ensures the public that the Board is trying to navigate through all of this with materials that have been presented.

Mr. Durno reminds the attendees that we can request to combine a meeting but no way of knowing if they will accept.

Mrs. Gendron reminds the attendees that the team is not a formal committee its department heads that are trying to deal with all of this. Mrs. Malouin would like to know the department heads – Board of Health, Conservation, DPW, Building Department and John Moak.

Grover Pillsbury, 18 Maple Street - worry in town is that the project can just start, why can't we just stop this before it happens, it's disheartening that the possibility of it just starting. Mrs. Gendron reminds we can't stop something that hasn't started, checks and balances have begun, guiding Mr. Burton to additional regulations, as a property owner he would have to deal with those repercussions.

Renee D'Argento, 18 Prospect Street - we don't want an ACO, we don't want any of this to begin. She is asking Board, which one of you want this, would you vote for this project to begin? Mrs. LaFleur asks the Board if any of them have any comments. Mr. Durno states he invites any one to sit here on the Board and answer that question, they are doing the best we can.

Caroline Ahdab, Deerfield Dr - asking the Board about these regulations that the BOH can implement, what is timeline? What about implementations? When will your next meeting be? Mrs. Malouin responds that she cannot give timeline and that if we do not know if this will be a bylaw or regulation will be determined by the draft we obtain from the attorneys, if we can adequately determine that it is jurisdiction of the Board of Health then we will move forward. Mrs. LaFleur adds that we will ask to be invited to the Board of Selectmen meeting.

Crystal Jeffries, 22 Heald Street - Mrs. Jeffries is inquiring about what kind of powers does the Board of Health have? What does the Board of Health do? Explain what you can do? Mrs. Gendron responds our goal is to protect residents, food inspections, septic, soil, groundwater, housing, wells, dust, noise, air and that the Pepperell Board of Health covers state regulations, overlap Massachusetts General Laws, local regulations as well.

Discussion continues on about attending a Board of Selectmen meeting, asking Mr. Moak to combine a meeting, would they go in as a Board or as members? Also if it is an executive session would they

be allowed to attend, board will follow up immediately on this.

- b. Earth Filling Regulations draft discussion

8. **Bill Warrant**

- a. Approve bill warrant

Ms. Montesanti states it actually is a turnover not a bill warrant, Mrs. Gendron explains that this is for camp permit for Moppett School, they are in full compliance. Mrs. Malouin motions to accept camp permit, Mr. Durno seconds. All in favor.

9. **Open Discussion**

Mrs. Malouin kindly reminds that the town website needs to be updated to reflect new office hours and new secretary.

10. **Future Meeting**

- a. 8/7/18

Mr. Durno motioned to adjourn the meeting, Mrs. Malouin seconds. All in favor. Meeting closed at 7:18PM.

Respectfully submitted by Brynn Montesanti, Board of Health Secretary.