

Board of Health
Meeting Minutes

Board Members:

Margie LaFleur, Chairperson; Phil Durno, Member

Staff:

Kalene Gendron, Health Agent; Brynn Montesanti, Board Secretary

Attendees: See attached list

Mrs. LaFleur opened the meeting at 8:30 AM and announced the meeting is being televised by Pepperell Community Media and recorded by the Board secretary.

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1. Old Business

a. Earth filling regulations draft discussion, vote if necessary

Mrs. LaFleur would like to open the discussion by going over draft.

Items to add/modify/change:

- Mrs. Gendron recommends to add another professional to the regulations, a "Third Party Inspector," which has a combined amount of qualifications of both a LSP and a QEP. A "Third Party Inspector" is defined as:

- o Third Party Inspector – Registration:

- o To be eligible to conduct third-party inspection required by 310 CMR 19.018, an individual shall register with the DEP in advance by filing a qualifications statement. The qualifications statement is a self-certification by an individual, on a form provided by the DEP, documenting that he or she meets or exceeds the minimum qualification requirements set forth at 310 CMR 19.018(5)(c) for the specific type or types of third-party inspection that said individual may be retained to conduct. The qualifications shall include:

- o All relevant professional licenses and certifications that the individual currently holds, including but not limited to:

- o Registered professional engineer (PE);

- o Registered sanitarian (RS);

- o Solid waste operator license(s);

- o Solid Waste Association of North America (SWANA) certification

- o Licensed Site Professional (LSP) or

- o Asbestos inspector licensure and certification by the MA Department of Labor Standards;

- o Specific academic degrees that the individual has received

- o Specific solid waste training that the individual has successfully completed, such as SWANA training

- o Relevant experience in the solid waste management field.

The Board decides to add "Third Party Inspector" as a "TPI" throughout the regulations where an LSP or QEP is mentioned

- Add "ACO" to list of definitions, administrative consent order

- Board discusses performance bond, reviews Ashby's BOH regulations for clarification of a performance bond. The Board likes Ashby's performance bond and decides that in section 1-9, item I, remove "General Liability" and replace with "Performance Bond," take language from Ashby's Board of Health Regulations and replace
- After final draft regulations are complete, Board would like to leave sections in attorneys draft highlighted where the Board is seeking clarification
- Board discusses deed restoration, a "Grant of Environmental Deed Restriction," add as a subset to Environmental Liability section, stating an Addendum to be added at end of draft. Secretary to modify document provided by Mrs. Gendron. Board likes Mrs. Gendron's recommendation of changes to document and accepts its addition as an addendum
- Board discusses the cubic yard amounts of 1,500 and is presented with information from the Highway Department given approximate values in truckload amounts, the Board discusses the information provided and determines to change all values of "1,500 cubic yards" to "3,000 cubic yards." Secretary will take note and change values throughout entire document
- Remove "Unit of Measurement" from list of definitions and add definition for "Cubic Yard"
- Under definitions, definition of MCP needs to change from "310 CMR 40" to "310 CMR 40.000"
- In section 1-7, item 3, change "Site access and egress" to "Site must have one access and egress 20-30ft in length made of compacted stone only"
- Mrs. Gendron recommends in section 1-9, item B, to add a second addendum to the draft regulations with the table for Soil Category S-1 Standards, 310 CMR 40-0975 (6)(a) and to seek attorney clarification as to whether we can add this and only accept these types of soils
- Secretary will add watermark "draft" to document
- Secretary will add page numbers and add revision date

Mr. Durno inquires as to when Mr. Moak is meeting with the lawyers. It is determined that he is meeting the attorneys in executive session this evening, August 13. Mr. Durno requests that a copy of the draft is submitted to Mr. Moak to give to the attorneys for review. Mrs. LaFleur asks the secretary if the draft can be completed in time. Secretary confirms that the draft will be done by 2PM.

Mr. Durno makes a motion that a draft is submitted to Mr. Moak by the end of the business day, August 13. Mrs. LaFleur seconds. All in favor.

Mr. Durno motions to adjourn the meeting. Mrs. LaFleur seconds. All in favor. Meeting closed at 9:35AM.

Respectfully submitted by Brynn Montesanti, Board of Health Secretary.