

**Town of Heath  
Board of Health  
Meeting Minutes  
September 13, 2018**

**PRESENT:** Betsy Kovacs, Susan Gruen, Armand Clavette

**ABSENT:** Henry Godek

**ALSO PRESENT:** Mary Sumner BoH Clerk, Andrea Crete FRCOG Health Director

Chairman: Betsy Kovacs

Meeting was **called to order** at 4:08 pm.

**1. Reviewed agenda**

2. M/S/C to accept August 7, 2018 **minutes** correcting 3 typo's: added the word "is" and "the" to make sentences read properly, change 2017 to 2018.

3. **Chairman's Report:** Betsy reported on the upcoming Emergency Dispensing Site (EDS) Drill on October 24<sup>th</sup> at the Heath School Building.

4. Mary gave a brief update on the TOP's, and food permits for the Heath Fair.

5. **Budget:** Mary noted all is in order.

**OLD BUSINESS:**

1. **Nominations for BoH:** Still looking for a member. More names to research.

2. Reviewed the **Nurses report**; no concerns were noted. Noted upcoming flu clinics.

3. **Health Director Enforcement Issues:**

**38 Bray Road:** Betsy recused herself and Susan chaired. Reviewed trash issue. The dumpster was filled by the owners and has been removed. Andrea has followed up with owners and feels that they are moving forward with complying with removal of trailers, unregistered vehicles, and disposing of trash. BoH expressed concern over trash disposal as they have used only one bag tag to date and told Andrea they do not need to go to the transfer station. At Andrea's recommendation, BoH members agreed to intervene in trash issue only if a complaint is filed. Discussed options for moving forward on trailers, campers, and unregistered cars. Trailer and camper are Zoning issues and will be forwarded to Building Inspector for handling. BoH members voted to write to the owners notifying them that unregistered vehicles must be removed within one month or police will be asked to followup enforcement.

**435 Route 8A:** Property title in dispute. Although the property has not officially changed hands, a Title V was performed by the current residents, Herbert and Louise Wright, and passed. Ownership and roofing updates are not BoH concern.

**434 Route 8A:** Also owned by the Wrights, is falling down; Andrea will follow up with owners to learn what plans are for the property; as is, the structure is a health and safety hazard.

4. **594 Route 8A:** Reviewed Jim Hawkins' 8/22/2018 letter to property owners addressing the occupancy of the camper/trailer as it is a violation of the Zoning Bylaws. Owners have until September 24, 2018 to respond. BoH members agreed to monitor response.

5. **444 Route 8A:** Discussed funding of final clean up. No known BoH funds for such work. Owners pursuing having church pay for cleanup; BoH will wait to hear from Hilma Sumner on behalf of the church. If church not underwriting cleanup, then BoH will send a letter giving owners 30 days to do a good faith effort to clean up rest

of debris and advise that failure to do so may lead to the BoH taking action to get it cleaned up and placing a municipal lien on the property to cover the cost of the cleanup.

6. **3 Ledges:** Betsy has been in contact with Brian McHugh at Housing Authority. The Housing Authority needed a letter about taxes owed on property. After receiving and reviewing that information the Housing Authority may or may not recommend for the Town to authorize a loan for payment for the perc test. Betsy will continue to follow up.  
Concern over remodeling work occurring on the house without a permit. Waiting for response from Building Inspector for clarification.
7. **5 Ledges (Town-owned property):** ATC tested the shingles and found asbestos; the house is so dilapidated that they will need to bulk load the entire building as asbestos. This is a more expensive and complicated job and needs to be done by a licensed asbestos abatement contractor. BoS is contacting contractors for quotes. Mary has No Trespassing signs to post; will ask Kara and Tim for help.
8. **15 Ledges:** Mary contacted owner through e-mail and he said cleanup is done. Discussed that the house debris may be gone but there is garbage and what appear to be mattresses in the tall grass. Mary will follow-up on this with owner requiring him to complete cleanup.
9. **52 Avery Brook Road:** Owner called to let BoH know they would not finish cleanup by Sept. 3 as agreed. There has been a legal complication with the property and work needed to stop until that was sorted out. Mary will send Ms. Corbiel a letter asking to keep Board updated and offering to provide a letter to banks so that cleanup can be completed.
10. **8 Swamp Road:** Reviewed recent history: owner has another ZBA request in. This is a Planning Board and Building Inspector matter. Mary has received two requests from Mr. Kragen asking for records related to TOP; discussed. Mary will work with the Town Clerk and respond.

Betsy noted she received a letter from the BoS requesting a meeting to discuss Camper Trailer Bylaws. Will discuss further under new business.

11. **612 Route 8A:** A letter was mailed to owners of property stating health and safety related issues and giving a deadline of November 1, 2018 for the trailer to be vacated. List of resources for housing were sent, too.
12. **160/161 Colrain Stage Road:** Only one of the TOP's was issued as portability could not be determined on the other. Reviewed James Hawkins' letter from Sept. 4, 2018 that he found camper/trailer had a hitch and frame and could be moveable. Owner confirmed he has wheels available for mounting. BoH will issue a TOP, and remind owner that occupancy may not continue once Mohawk Estates is closed for the season on October 8, 2018
13. **148 Taylor Brook Road:** Failed septic repair process is moving forward. Soil test was recently done.
14. **4 Apache (Mohawk Estates lot 6):** Failed septic. A letter has been sent to advise owner about process and contact information for local engineers. The BoH received a complaint about the condition of the yard: trash, trailers, appliances. The BoH can follow up on the trash issue so Susan and Andrea will do a site visit. Mary will forward the complaint on to Building Inspector for the storage trailer issue.
15. **71 Sadoga Road:** The semi-tractor trailer violation was forwarded to Building Inspector. In a memo he sent to BoH dated August 27, 2018 he stated he did not find campers/trailers on the property, just numerous vehicles. Mary will follow-up with Hawkins after taking a photo of the property showing semis on the property. He may have gone to wrong address. BoH will refer the unregistered vehicles to the police dept. and cc the BoS and Planning Board.
16. **157 Avery Brook Road:** There was a concern over condition of septic on this property. Mary researched the files and found current plans in the BoH files and all is in order.
17. **Dog poop baggies:** Ordered, should be here soon.

18. **25 West Branch Road:** Reviewed history: owner applied for TOP and portapotty permit which were issued with the condition of vacating by November 1, 2018. A complaint came in about the situation. Betsy has called property owner and Building Inspector for updates. Mary will follow up with septic pumping company to confirm portapotty cleaning.

New Business:

1. **Smoking at the Fair:** Smoking was noticed on the edges of the Fair grounds as well as on the midway. The new BoH Smoking in Public places covers membership organizations, which the Ag. Society is. Betsy will follow up with the President of the Ag Society to review that when there is a public event, 'No Smoking' signs need to be posted. The BoH can provide the signs.
2. **128 Taylor Brook Road:** A concern has been brought to the BoH that the owners want to have this address be their permanent residence. It is a camper/trailer with a well. BoH will ask James Hawkins to determine what the structure is for determining residency. Mary will work on letter to Hawkins.
3. **48 South Road:** Reviewed application for a Local Upgrade reducing the offset to groundwater from 4" to 3". M/S/C to approve.
4. **181 South Road:** New septic at renovated house, just did the soil testing so process is moving forward.
5. **118 Rowe Road:** Owner has applied for a permit to construct a new single-family dwelling. Owner had applied in the past and Glen Ayers met with him to review water source. At that time there was only a mention of a shallow well and it could not be found. Water testing needs to be done before the BoH can sign off. Mary will draft a letter, Andrea will review, letting owner know what is needed.
6. **Well Program:** Mary passed out information on a new well program being offered through RCAP Solutions to help homeowners. Mary can post it on bulletin board.
7. Betsy noted a letter she received from the BOS asking to set up a meeting to review camper trailer bylaws, regulations and enforcement. Board of Health members asked for clarification for what prompted the request for a meeting by Planning Board chairman and BoS. Betsy to determine.

M/S/C The BOH will not enforce Zoning Bylaws. The BOH will continue to administer the Temporary Occupancy Permitting process.

8. Enforcement of Town Bylaws regarding **unregistered vehicles:** Mary asked Police Dept. what they have done regarding unregistered cars and was told that they only respond to complaints. In looking through past minutes Mary found where previous Boards had voted not to act on 'unregistered automobiles' unless such violations were determined to be a hazard to public health as this is a Town Bylaw and the BoH has no authority to enforce Town Bylaws. The BoH can enforce a State regulation that addresses hazardous situations. The BoH will ask the Police Dept. to enforce the bylaws regarding unregistered vehicles. Mary and Betsy will compile a list of known properties for next BoH meeting. After review, the list will then be forwarded on to police for enforcement with copies to the BoS and Planning Board.

**Next BoH Meeting:** The next meeting will be on Monday, October 1, 2018 beginning at 3:30 pm. When we have a fifth BoH member, we will determine a day and time for our monthly meetings.

Meeting Adjourned at 6:14 pm

Submitted by Mary Sumner, BoH Clerk