

Board of Health Meeting Minutes

March 1, 2012

Present: Karen McManamon, Rich Maccagnano and Ann McCobb.

Rich called the meeting to order at 7:00 p.m. Ken Lefebvre joined the meeting at 7:02 p.m. and chaired the meeting.

Approval of Bills

The following bill was approved and signed:

Ann McCobb reimbursement – 3/13/12 MHOA conference fee for Ann & Rich \$85.00

A motion was made by Karen McManamon and seconded by Ken Lefebvre to pay the reimbursement for the MHOA conference fee. Two in favor, Rich Maccagnano abstained.

Approval of Minutes

A motion was made by Ken Lefebvre and seconded by Rich Maccagnano to approve the 2/16/12 minutes. All in favor.

Public Comment

June & Dan Weiner, proprietors of Berry BonBon a self service frozen yogurt shop, came to speak. They introduced themselves, thanked the Board for the opportunity and the chance to tell them about the concept. The customer fills their dish with frozen yogurt from a selection of flavors and adds fresh fruit and/or candy toppings and then pays by the ounce for their selection.

Dan Weiner said this was a new concept for them and recognized there is a learning process with the Board of Health's rules and regulations. He feels it will be a good addition to the town and they plan to support local fundraising and non-profit organizations. He stated that although they now live in Ashland he is committed to Holliston. They raised their family here and they are committed to hiring local teens for summer employment. June Weiner spoke about the YoCream University in Portland, OR, they attended for training.

Rich told them the Board is there to help them and answer questions. He encouraged them to come in and ask questions. Ann explained the food handling practices that Len Izzo will go through with them as well as explaining some other items that need their attention before opening.

Hydrogeologic Study

Bruce Jacobs joined the meeting for this topic.

Ann stated that a message went out to media and Town Hall departments saying the Board had received Phase 3 and was available at the Board of Health office for viewing and the Board would take comments until 3/1/12. One person on the Planning Board requested to see it. Ann thinks the Board is ready to accept Phase 3 and should accept it and have it reviewed by Town Counsel. She stated that the Board had received the Planning Board note that the noise study was accepted by them and then by the Board of Health.

Rich said that the Hydrogeological study could not have been done without Bruce's involvement and this was the last piece to be completed for the Board to accept the site

assignment. Rich asked if Bruce can recommend anything to the Board. Bruce suggested asking Covanta to please evaluate use of calcium chloride and to limit the use of it. Ann asked Bruce if Derek Grasso saw the Phase 3 results and Bruce said that he sent it to him. Ann wrote up two motions relative to the study. The Board discussed them and decided to move ahead.

Motion: Karen McManamon moved to accept the Phase 3 of the Hydrogeologic Study as completed in accordance with the HydroAnalysis letter of November 26, 2008 Scope of Work. Rich Maccagnano seconded. All in favor.

Motion: Karen McManamon moved to accept the findings, subject to legal review, of the completed Hydrogeologic Study required in the Casella Decision dated December 6, 2004 – Site Assignment, as a determination that the probability of long-term adverse water quality impact of the transfer station storm-water runoff discharge on the Town of Holliston water supply wells is very low. Ken Lefebvre seconded. All in favor.

Health Director's Report

157 Lowland Street: Ann McCobb said that this project is now in the Board of Health domain. A letter was received from the State on 2/27/12 allowing 21 days for comment from the Board. Property owner, Mike Brumber joined the meeting.

Rich said that he has spent a lot of time with Mike via the Conservation Commission meetings and asked that Mike explain the difference between his operations and Aggregate's. Mike explained that Aggregate brought in sand, stone, processed gravel and recycled asphalt and they did crushing and produced asphalt. Mike is not keeping the asphalt plant. If he did he would not need new permits. The DEP has told him he has the Determination of Need (DON) to keep crushing.

The burners affiliated with the asphalt are gone so there should be no odor complaints.

Mike is concerned about the potential for noise complaints with the slamming of dump trucks gates and possible dust complaints. He will have a back up water truck to control dust and has been working with Dave Gray (EPA) and Mike Penney (DEP) regarding these issues.

He has made substantial improvements to the site including cleaning the waterways, building a berm so no discharge will ever leave the site. He has added 27 white pine trees as a buffer.

From Mike's perspective, the concern from the neighbors is mostly noise from the tailgate slams. The concrete pile is the closest pile to the neighbors at 1,500 feet. The crusher has noise specifications that must be followed.

Rich stated that Mike has improved the property and operations greatly. He has been working on it for a long time and has come a long way. He keeps a clean site.

Ann said she has answered many questions regarding the site. She heard from people all summer regarding noise and odor complaints. Some of the odor complaints have been taken care of. She said the berms sound good and hopefully they will work. Mike said he could use walls but he will try the berms first. He said his hours were approved for 7am – 7pm, Monday – Saturday but that he will probably close at 6 pm and will not crush on Saturday. He also said he would be flexible depending on complaints received but that he won't know for sure until he is in operation.

Rich asked that the Board of Health response to the DEP state that the new operation has less of an environmental and health impact than it had before and that Mike is going to work with

the Board regarding any complaints. Ken asked if there would be smells from moistening the piles and Mike said no. Mike, as owner, is prepared to have Title V report on septic serving small building on the site.

Mike said that Michelle Delmarre and Suzanne Landau of the DEP have been to the site. LSP Ileen Gladstone from GEI, is overseeing the clean up by the previous owner. Mike has retained Lotharstein to advise him and the prior owner of the clean up results. They have told him that the groundwater is good and soil samples are improved but need additional work. They have found the limit of excavation.

The Board thanked Mike for coming in and Mike left the meeting.

Ann stated that the neighbors are negatively impacted by the industry that was built prior to the homes on Noel Drive. Ann suggested the Board ride by the site and the neighborhood to get a feel for their position and the distance from Lowland Street. She said the Board has the choice to have a site assignment; the neighbors could ask them for one and the Board will need to consider it. The Board discussed how and what to comment to meet the deadline. They stated the need for the ability to address sound issues. They would like the DEP to adapt to complaints received by the Board since noise is a concern but they won't know for sure until it is in operation.

Both Ann and Mike have been in communication with Police Chief John Moore.

Motion: Rich Maccagnano moved that a site assignment is not necessary. Ken Lefebvre seconded. All in favor.

Ann McCobb wrote and submitted the FY11 annual report for the Board of Health.

HHS Concession Stand: The Board received a letter from Rob Truax and a request from Keith Buday for an agenda appointment at the 3/15/12 meeting.

The all boards meeting is scheduled for Monday, 3/5/12. Karen McManamon will represent the Board.

Ann has requested an appointment from the Finance Committee. She is leaving the strategy of how to approach them to the Board. She believes it is important for them to know the history of the department's organizational study in 2007.

Region 4A: Planner Consultant, Ryan Bresnahan is updating the EDS plan for Holliston. She is preparing the after action report for the flu clinics required by the State.

Ann heard from Rich regarding PHEP spending plan requests and he suggested purchasing and AED.

Three EDS drills are required by Region 4A. A call down drill will be completed this month.

Ed Wirtenan, Hopkinton, is taking the lead on the intern project. He just signed a contract with Tina Paul of Worcester State University for a sharps collection project.

Rabies Clinic: The annual Rabies Clinic is scheduled for Saturday, March 31, 2012 at the Highway Department to service dogs, cats, and ferrets. Dr. David Schwarz will attend. The

Town Clerk will issue dog licenses. It is being held one week earlier than usual this year to accommodate the 1 year shot deadlines from last year.

Solar Energy Project: A neighbor of the project on Bullard Street has a cochlear implant and was asked by BEHA if her surgeon would write her a letter in order to investigate her concern. He would not write a letter. Karen Sherman measured the distance from her home to the site and said it is well over 500 feet.

32 Arch St: It has been determined that the rear property borders Winthrop Canal and the wetlands. The homeowner wants the canal dredged and asked CMMCP. CMMCP said it is too big for them to handle; that they can and will do brush cutting and can assist from other points near Pleasure Point Road and to the canal at Water Street to mitigate mosquito breeding areas.

Ken Lefebvre will respond to the Newcomer's Club letter regarding food service fees.

Rich Maccagnano motioned to adjourn the meeting at 9:05 p.m. Karen McManamon seconded the motion and it passed unanimously.

Respectfully submitted:

Lisa Deering, Health Department Clerk

Approval Date: 3-15-12