

Public Meeting

March 12, 2009
Grace Gouveia – Room 10
5:00 p.m.

Members Present: Duane Gregory, Ken Janson, John Livingstone,
and Mark Phillips.

Members Absent: Jerry Anathan

Staff: Brian Carlson, Health Inspector
Jane Evans, Health Agent
David Gardner Ass't Town Manager

AGENDA

Duane Gregory called the meeting to order at 5:00 p.m. She announced that Tom Gaudreau had resigned from the Board. His input was valued and he will be missed.

Public Comments

There were none.

Old Business

415-417 Commercial Street

Appeal Health Agents Decision - Bedrooms

Jay Murphy, the attorney for the owner, contacted Jane Evans today and asked for an extension of the case.

Motion: Move to continue 415-417 Commercial St. until the next BoH meeting.

Motion: Ken Janson Seconded: Mark Phillips Vote: 4-0-0.

New Business

24 Pearl Street

ACO Request

Margaret Murphy, Director of the Fine Arts Work Center has requested an ACO. The FAWC is undergoing renovations and discovered during the required inspection of their two septic systems that one of their septic systems is in a state of failure. They are proposing to redirect the flow from that system into the functioning one. It is projected that the sewer will be available to them in spring 2010. Jane recommends approval.

Motion: Move to recommend an ACO for 24 Pearl Street with the attendant restrictions.

Motion: John Livingstone Seconded: Ken Janson Vote: 4-0-0.

Discussion

Repeal BoH Leash Law

Candace Nagle – Animal Welfare Committee

Carol McDonald was the only person representing the Animal Welfare Committee. It had been an agenda item about a month ago but there was no quorum. Carol hoped that Ruth Ann Cowing, the dog officer, would attend but she was unable to. Carol said that she is hoping that the off-leash restriction will be lifted. She and her group have worked hard getting dog clean-up stations out there. Carol also monitors the beaches and informs owners they need to pick up after their dogs.

Duane, giving a history of the original restriction, said it was crafted due to a rabies concern but feels – now that this is no longer a concern – the leash restriction should be rescinded.

Dr. John Livingstone spoke to Dr Lear, a vet at the Herring Cove Animal Clinic, about unleashed dogs and their excrement which is not always picked up. John reports there are two parasites which can survive in excrement for a considerable period of time and they are *schistosomiasis* and *echinacoccosis*. John's opinion is they are very dangerous to children who many times play and walk barefoot on beaches. He further feels that until a proven solution to eliminating the dog excrement problem is demonstrated – he cannot in good conscience approve the free running of the dogs on the beaches during any timeframes.

After quite a bit of discussion, the other Board members were asked to weigh in on the issue.

Ken Janson is not in favor of changing our by-law. He sees excrement not being picked up and he is in favor of keeping this as it is.

Mark Phillips feels if it is a public health concern, he would like to see more enforcement. He also feels it is really a Board of Selectmen (BoS) issue.

David Gardner said that when the BoH acted in 2006 – he felt that they put in a temporary regulation due to rabies concerns. But if there is still an overwhelming feeling about the health of the community then it is up to the board to make their decision.

John said that he would still like to sit down with Ruth Ann and Carol McDonald and talk all this over.

Motion:

Motion: Move to continue the discussion until the next meeting.

Motion: Duane Gregory Seconded: John Livingstone Vote: 4-0-0.

Jane Evans left the meeting at 6:30 to attend to a family member's medical needs

Revisions to Proposed BoH Habitations for Rent Regulation

BoH Work Session

Duane said that she had received a couple of letters from people really opposed to the proposed inspections.

On this topic, too, there was quite a bit of discussion with the following suggestions for a redo of the proposed regulations, including language changes and reworking of the sections.

David Gardner took many notes on the discussion and will rework both the HABITATIONS FOR RENT as well as the Application Form. He was asked how the fee for inspection had changed from

\$150 to \$120 and David said that he had reworked the figures.

Mark Phillips wondered if perhaps the fee should relate to the size of the property, i.e., studio apartment vs. 3 bedroom apartment? This question was not addressed.

Approval of Minutes for October 16 2008, January 22, 2009 and February 26, 2009

Only the February 26th minutes could be approved by the members present.

Motion: Move to approve the February 26th minutes as written.

Motion: John Livingstone Seconded: Ken Janson Vote: 3-0-1.

Health Inspector's Report

Brian is still working with a tenant and is making weekly inspections on the property.

Brian also reported that the FDA will be funding the rabies vaccine program for this year. The group is funding a live testing for rabies by trapping raccoons to check for antibodies; the test area will be from Howland Street.....west.

Board Members' Statements

There were none.

The meeting adjourned at 7:45 p.m.

Respectfully submitted,
E. Rogers Gaudiano

Approved by the Board of Health on _____,2009

Duane Gregory, Chair