

**Board of Health
Meeting Minutes -August 9, 2022
Selectmen's Meeting Room
and Remote Meeting via Zoom Video**

PRESENT

Chairperson – Vincent Forte, Jr.
Vice Chairperson - Patricia Leclair
Member: Michael Hennessey
Health Agent – Bruce Wilson, Jr.
Food & Tobacco Inspector: Robert Griffin III via Zoom
Minutes Clerk: Laura Renaud via Zoom

OTHER ATTENDEES

Town Administrator - Denis Fraine via Zoom
Lawrence J. Sposato, Jr. - Town Clerk and CHR Charter Bylaw Committee
Gerald Daigle – Chief of Police via Zoom
Town Counsel – Nicole Costanza via Zoom

CALL TO ORDER

Mr. Forte called the meeting to order at 7:00.

MINUTES

Mr. Hennessey made a motion to approve the minutes of July 12, 2022, as presented. Ms. Leclair seconded, and the motion carried.

PUBLIC HEARING

Mr. Forte read the Tobacco Amendment from 2013. He explained it was accidentally eliminated in 2020. This was well before the legalization of marijuana. The line item stating “no mind-altering substances” was meant for synthetic substances, bath salts and that type of thing. It was coming from a lab and not an illegal drug from the street. One vendor who had many stores with one in Bellingham and he was selling these products. Ms. Leclair explained that the Chief came before them in 2013 and brought it to the Boards attention. The Tobacco Agent at that time did her inspections and was aware of these products also. That is how the amendment with the mind-altering substance came about.

Town Counsel Nicole Costanza was in attendance via Zoom. She explained that the more specific a regulation the less of a chance it would be challenged if it is arbitrary or not understood. She suggested that the Board have a definition to mind altering substance and a list of products the Board would like to ban. Mr. Forte discussed the THC and CBD in marijuana. Town Administrator Fraine stated the point is if you are going to pass a regulation it needs to be something that the Tobacco Agent can legally enforce. Chief of Police Daigle was in attendance via Zoom. He stated that if it enhances public safety, he agrees with it. There does need to be more research done. Mr. Hennessey stated that the spices, bath salts are no longer around anymore. Marijuana is legal in Massachusetts. He sees the benefits of marijuana every week with his clients. Communities all around Bellingham have them. This is not about marijuana.

Ms. Leclair agreed marijuana has no place in this amendment. The Board agreed to put the amendment back in further defining in detail what the mind-altering substances that will be banned.

Mr. Hennessey made a motion to continue this Public Hearing to September 20, 2022, at 7:00 PM. Ms. Leclair seconded, and the motion carried.

Mr. Forte stated Agent Griffin, himself and Town Counsel will meet to discuss before the next hearing.

HEALTH AGENT UPDATES

Mr. Forte explained that the owners of 150 South Main Street were in attendance to discuss the issues they were having with Mr. Marchand completing their septic system. Mr. Hogue stated it was started one year ago and still not completed. He stated there have been many excuses, his equipment has been left on the property, holes left in the yard. They were also told his license was suspended. Mr. Forte explained they did suspend his license but a week later he provided the correct paperwork, and his license was re-instated. The owner's daughter was also in attendance and explained that her parents received an email from Ms. Renaud that he was being deceitful as his license was suspended. At that point they wanted to hire a new contractor as it has gone on so long and so many problems. The Board thought that it would be best to come to an agreement for all parties involved. Mr. Marchand stated he was not deceitful, and he has had many problems on this job. He switched insurance companies halfway through the year which could be why that it was brought to the Boards attention. He stated he was not deceitful. Mr. Marchand stated the leach field is the final part. There was a problem with the neighbor. It was 3 months ago. Mr. Hogue was not happy as it was 3 months ago after waiting a full year. There are too many excuses, sickness, neighbors, equipment, etc. Pictures were presented. Mrs. Hogue was in attendance via Zoom. She stated the yard is a mess. She is handicapped and there are holes in the yard, and she cannot get around. The Board requested a time frame from Mr. Marchand as to when he could possibly finish the job. He stated in one week. He said there was a shed issue. It is on blocks and quite large. Mrs. Hogue stated at the beginning of this they were told the shed was not a problem. That this whole project would take a few weeks. The trees were removed last summer. They were never told them that he had to speak with the neighbors nor was the gas line ever brought up. Her husband called Mr. Marchand numerous times. He has had many excuses. He even told them that if he worked in the winter, it would cost more money. He switched machines and never came back. His equipment was left in the yard. She wants to know why it took so long. He never once mentioned the shed. He took out the sidewalk. Mr. Forte and Agent Wilson looked at the plan. They concluded he will not have to move the shed. Mr. Wilson will explain this to the engineer when the as built is done. The price will not change. All landscaping is included. The owner's daughter wants to be assured this is inspected. They have never seen anyone from the town come. Agent Wilson stated he can come twice a day and keep the Board updated. Mr. Marchand stated the sidewalk was not originally included. He agreed to replace the sidewalk pad and landscape the yard.

Mr. Hennessey made a motion that this job will be completed by August 24, 2022, or a fine of \$500.00 will be assessed to the contractor. The owner will get reimbursed for the monies paid out for the engineering firm. Ms. Leclair seconded; the motion carried.

CORRESPONDENCE

The Board reviewed the employee calendars as presented. Mr. Forte confirmed he will be available when Agent Wilson is on vacation.

The Board discussed when Mr. Wilson is out of town, he must let dispatch know. There was an issue in the past weekend with the Fire Department. Agent Wilson said he did let them know. Ms. LeClair stated they told Vinnie that they didn't know Agent Wilson was away. They were trying to reach everyone on the Board. Deputy Milot did reach Mr. Forte by phone. In the future this is an important issue that needs to be taken care of.

GOALS

There were no new updates for obtaining funding for outside fuel storage tanks. The Board and staff will continue to research this.

BILLS

Ms. Leclair made a motion to approve the invoices to Amazon for \$51.99 and \$45.87. Mr. Hennessey seconded, and the motion carried.

Ms. Leclair made a motion to approve the invoices to the Salmon VNA & Hospice for \$ 666.66 for July services and \$666.66 for August services. Mr. Hennessey seconded, and the motion carried.

BETTERMENT LOANS

Ms. Leclair made a motion to approve the preliminary loan application for 10 Andrew Street. Mr. Hennessey seconded, and the motion carried.

BETTERMENT BILLS

Ms. Leclair made a motion to approve the invoice to Cook's General Contracting and 46 Box Pond Drive for \$ 500.00. Mr. Hennessey seconded, and the motion carried.

Ms. Leclair made a motion to approve the invoice to the Registry of Deeds for 150 South Main Street for \$106.00. Mr. Hennessey seconded, and the motion carried.

ADJOURNMENT

Ms. Leclair made a motion to adjourn the meeting at 9:30 PM. The motion was seconded by Mr. Hennessey and the motion carried.

Respectfully Submitted,

Laura Renaud

Laura Renaud
Minutes Clerk

Approved 8/23/2022

