

**Board of Health  
Meeting Minutes  
June 7, 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  
Minutes Clerk: Laura Renaud via Zoom

**OTHER ATTENDEES**

Town Administrator Denis Fraine

**CALL TO ORDER**

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

**MINUTES**

Ms. Leclair made a motion to approve the minutes of May 24, 2022, as amended. Mr. Hennessey seconded, and the motion carried.

**TOBACCO COMPLIANCE:**

Attorney Joseph Antonellis was in attendance to represent Rapid Refill. They recently had their third offense of selling to a minor which is a mandatory 30-day suspension and \$5,000 fine. Attorney Antonellis explained the Garrett Family that owns Rapid Refill is seeking relief from the 30-day suspension as their business will be greatly impacted. They would like to support a tobacco education and/or a cessation program in lieu of their \$5,000 fine. He further explained they have every safeguard in place not to sell to minors but sometimes their employees make mistakes.

The Board listened to Attorney Antonellis presentation and made the following conclusion.

Mr. Forte made a motion to keep the suspension of 30 days with a \$5,000.00 fine per the state order. Ms. Leclair seconded, and the motion carried.

Attorney Antonellis stated that they do have a right to request a hearing. The Board stated that is correct and this was their hearing.

**UPDATES:**

●Wells

The Board discussed the current Well Regulations. Agent Wilson presented a photo of the well covering at 9 Silverlake Road. It was noted that the plywood and blocks is not a permanent

covering, and they would like to see it filled in with gravel or sand. Ms. Leclair stated this started in April and it needs to be taken care of now. Town Administrator was in attendance and suggested the town could possibly help them out with getting sand to them. The Conservation Commission is aware of the situation.

Mr. Hennessey made a motion that the well at 9 Silverlake Road must be filled in or permanently capped within 7 days. Ms. Leclair seconded, and the motion carried. Agent Wilson will notify the owner.

#### ●Nail Salon Inspections

Agent Wilson updated the Board on the status of his nail salon inspections. He stated that the Renaissance Salon has a new owner. He presented them with the Nail Salon Regulations. The Board asked if this salon was on town sewer or private as with a new owner, they would need to have a tight tank put in if it is a private septic system. This salon was grandfathered but since it is a new owner, they would have to follow the current regulations. Agent Wilson will speak with the new owner and/or landlord about this. The Board reviewed the other nail salon inspection reports and inquired about the single use items. Ms. Leclair questioned the need to use the autoclave to clean the nail clippers and metal tools as not all of the tools are thrown away. She will research this within the Nail Salon Regulations. Mr. Hennessey asked why California Nails was not completed. Agent Wilson stated they were still working on the venting system, and he would revisit them.

#### ●Public Health Nurse

The Board reviewed the contract that was presented to them from the Visiting Nurse Association. They agreed that this would be the best choice for Bellingham. The contract stated 8 hours per month, but they could negotiate that in the future if more hours were needed.

**Ms. Leclair made a motion to accept the agreement with the Visiting Nurse Association. Mr. Hennessey seconded, and the motion carried.**

### **NEW BUSINESS**

#### ●19 Bellstone Drive

The owner of 19 Bellstone was in attendance via Zoom. She had initiated a complaint regarding flooding from her neighbor at 17 Bellstone Drive. Photos were provided. There appears to be a pipe coming from his lot into hers which is flooding her property. They put up a stonewall. She stated she cannot mow her lawn in that area as it is too wet. She stated she is the only resident in this neighborhood to have to put in 3 septic systems. The Board listened to her concerns. Mr. Forte felt that this could also be a breeding ground for mosquitoes. He felt that the Conservation Commission should be aware of this. They could make him replicate the area. Town Administrator stated that this may be a civil issue, but he would have the DPW look and advise him on the situation.

**Ms. Leclair motion to have Agent Wilson send out a letter to the owner of 19 Bellstone Drive to remove the piping and fill in the gulley to prevent mosquitoes from breeding. Mr. Hennessey seconded, and the motion carried.**

- 24 Rondeau Road

Agent Wilson updated the Board on the status of this property as it was deemed inhabitable when a teenager was found staying in there. As of this date it needs a lot of work and will remain uninhabitable until all work is done per the Building Commissioner.

- 21 Wrentham Road

Agent Wilson explained that this property was damaged by the tenant. A cease and desist was issued and will remain intact until necessary repairs are completed per the Building Commissioner.

- Grant Funds

Agent Wilson stated the funds secured through the covid relief program would allow the Board to purchase a movable message board for \$ 14,500.00.

**Ms. Leclair motioned to approve the purchase of a message board for \$14, 500.00. Mr. Hennessey seconded, and the motion carried.**

### **OLD BUSINESS**

- The Smoking News

Agent Griffin stated that Cheryl Sbarra was not in attendance as they haven't been able to reach her. She is the MAHB attorney. The Smoking News had previously requested to remove the ban on vaping tobacco. Agent Griffin would speak with Town Counsel, and he would request their attendance at the next meeting. The Board would possibly remove the ban with the understanding that if they have one violation they would be done. Agent Griffin will ask their attendance at the June 21<sup>st</sup> hearing.

- Hartford Avenue

The Board noted the 3 distressed properties have been secured and boarded up to their liking. The owner has applied for building permits for renovations.

### **TOBACCO AGENT UPDATES**

- BP of 1052 South Main Street

Attorney Kelsey Morin was in attendance for the business BP of 1052 South Main Street. She asked for confirmation on when they would receive the official cease and desist letter. Agent Griffin stated he has been in contact with Town Counsel, and they are currently drafting the cease-and-desist notice. She inquired as to whether or not they could sell tobacco products while the notice was being written. She asked if they could sell throughout the appeal process if they choose to appeal. Agent Griffin stated that they could sell through that process.

### **GOALS**

- Food Regulations

The Board discussed the new Food Regulation. If food or drink is being sold a retail food permit is required. If there is a food permit required, then only service dogs are allowed in the store. Petsmart should be notified of this.

**Ms. Leclair motioned to accept the Food Regulation as submitted. Mr. Hennessey seconded, and the motion carried.**

●**Outside Fuel Storage Tanks**

Agent Wilson stated he has been having discussions with Fire Deputy Milot. Ms. Renaud provided the information from the Community Rehabilitation Program which helps town residents with necessary repairs to their homes. This may be an option. The Board requested that a letter be sent to the older neighborhoods explaining this program. Ms. Leclair suggested the Wethersfield and the Acres neighborhoods. Agent Wilson stated that working with Deputy Milot might supply the records of who may have these tanks. The Fire Department may have records. The Board felt they may not have the records as far back at the 1950's. Ms. Leclair requested Ms. Renaud send letters to these neighborhoods about this program. The Board felt at this point it is just giving them the information as of right now is the best choice as they are not required by law yet to change to double walled tanks.

**PLAN REVIEWS:**

Mr. Hennessey made a motion to grant an upgrade waiver for 88 Indian Run Road. The motion was seconded by Mr. Hennessey and the motion carried.

**BILLS:**

Ms. Leclair made a motion to approve the invoices to Amazon (\$12.99. \$41.38, \$7.99. \$10.88, and \$13.98) for a total of \$87.22. The motion was seconded by Mr. Hennessey, and the motion carried. (They were not included on the agenda but requested by CFO to approve due to the fiscal year ending).

Mr. Hennessey made a motion to approve the invoices for Agent Griffin for food inspections \$2400.00 and tobacco inspections \$ 800.00. The motion was seconded by Ms. Leclair, and the motion carried. (Agent Griffin will re-email these to Ms. Renaud as they were not in the package)

Agent Griffin updated the Board that the fine for rapid refill is \$5, 000. and an additional fine for \$ 2000 for AJ's mini mart is pending for a sale, they are disputing that due to some adjustments that were made at that time. Agent Wilson is pulling the recording from that meeting. This would be their second. Best Buds is being served a state suspension. They had some untaxed cigars found during the joint investigation which is a 3-month suspension. This is not a Bellingham issue. This only effects the North Main Street store.

**HEALTH AGENT UPDATES**

Ms. Leclair inquired to how the school inspections were going. Mr. Wilson stated he is waiting for Ms. Bell, Food Director to return to town. He is scheduled to do on June 13<sup>th</sup>. The Board stated that in going forward they will not wait, and school inspections will be done by mid-September and mid-March. [

Mr. Forte received a complaint that there were too many livestock on 27 Irene Court. Agent Wilson went out and supplied the owner with the Livestock Regulations and permitting information. He was not aware of needing a permit. Ms. Renaud will put together a letter for certified return mail. He can have 30 days to apply for the permit.

The Board discussed the issue when residents owe back taxes or bills due and the issuance of permits. The Board agreed that residents must pay their town bills before any permits can be issued. Agent Wilson suggested overriding this for emergency septic repairs. The Board agreed with this override, and it will be put on the next agenda for a motion.

**BETTERMENT LOANS:**

None

**GOOD AND WELFARE:**

None

**ADJOURNMENT**

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

Respectfully Submitted,

*Laura Renaud*

Laura Renaud  
Minutes Clerk

Approved 6/21/22