

BOARD OF HEALTH MEETING
Meeting Minutes
October 20, 2020 at 7:00 pm
Remote Meeting via Zoom Video

PRESENT

Health Agent: Bruce Wilson, Jr.
Chairperson: Patricia Leclair
Vice Chairperson: Kelly McGovern
Member: Vincent Forte, Jr.
Tobacco Agent: Robert Griffin III
Minutes Clerk: Tina Griffin

CALL TO ORDER

Ms. Leclair called the meeting to order at 7:00 pm.

MINUTES

Ms. McGovern made a motion to approve the minutes from the October 6, 2020 meeting, as submitted.
Mr. Forte seconded and the motion carried.

CORONA VIRUS UPDATES

Health Agent, Bruce Wilson, Jr. gave an update on the COVID-19 cases in Town. The number of active cases has been on a slow incline over the past couple weeks. Mr. Wilson told Board members that if the Town gets up to 20 active cases, they will have to consider scaling back on the number of customers allowed inside restaurants and establishments to a lesser number. The State numbers have been steadily climbing as well. Mr. Wilson said that complaints continue to come into the office about people not wearing masks in public and he keeps following up on these complaints to make management aware that masks are still a requirement.

For more information and updates on COVID-19, please check the State website at Mass.gov and the Town website at BellinghamMA.org.

NEW BUSINESS

ANNUAL REVIEW – HEALTH AGENT

Board members will complete their employee review forms for Health Agent, Bruce Wilson, Jr. and will email or drop off their completed Forms to the office by the beginning of next week.

BODY ART LICENSE – ARIEL ROBINSON

Ms. Robinson was present for tonight's meeting through Zoom to ask the Board to consider modifying their current Body Art Regulations in order to raise the number of Permits allowed. Ms. Robinson has been practicing Body Art for 12 years and has worked at a Visions Tattoo in Medway for the past 9 ½ years. Ms. Robinson is looking to lease a space in Town and was hoping to secure a Practitioners Permit before signing a lease for her proposed business. Ms. Leclair told Ms. Robinson that the current practitioners must renew their permit by December 31st every year and that she might want to check in with the office as it gets closer to this deadline to see if everyone has renewed their permits or not. Ms. Robinson said that might be a little too long to wait, as she needs to let the location know if she will be signing a lease agreement by the beginning of December. Mr. Forte told Ms. Robinson that maybe the office could check on permit status, as the renewal applications have already been mailed out to all current permit holders. The Board told Ms. Robinson that they will continue this discussion to the next Board of Health meeting, scheduled for November 3rd, so that the office can reach out to the current permit holders about their renewal intentions.

TOBACCO AGENT UPDATES

BELLINGHAM GROCERY

Ms. Patel, owner of Bellingham Grocery was present for tonight's meeting to discuss her recent Tobacco violation for the sale of glassware (drug paraphernalia) to a person under the age of 21. This is the third tobacco violation at this establishment. The two most recent violations have been within the past three months. This violation carries a fine of \$5,000 and a temporary suspension of the retailers Tobacco permit. Ms. Patel told the Board that she cannot afford to pay the Fine and is having a hardship due to the Covid-19 virus and the recent move of her store location from the plaza across the street.

Board members discussed her situation and said it is important that they remain consistent with violations, as other businesses have also recently come before the Board with similar issues. The recent influx of violations and Fines is due to the Tobacco Regulation changes that just took effect in the State of Massachusetts as of June 1, 2020. Board members agreed to waive the Fine for this one violation and instead issue a two-week suspension of their Tobacco sales permit.

Mr. Forte made a motion to have Bellingham Grocery start their Tobacco sales suspension as of this coming Monday. All Tobacco products must be removed (items that can't be removed must be completely covered) before the store opens on Monday, October 26th and must remain that way for two weeks. The products can be put back in place and uncovered after the store closes on Sunday night, November 8th and can start being sold again when the store re-opens on Monday, November 9th. Ms. McGovern seconded and the motion carried.

GOALS

CBD PRODUCTS

Mr. Griffin told the Board that he received a call today from the CCC (Cannabis Control Commission), regarding some of the questions he had about Hemp and CBD product sales. The CCC said that because these products do contain traces of Hemp and THC, they do fall under the marijuana Regulations in regard to enforcement. The Town can enforce the same fines that are currently carried with the Tobacco products. However, this would need to be discussed further, as these products usually also require a food permit since they are usually edibles. Board members agreed to continue this discussion to the next Board of Health meeting.

HEALTH AGENT UPDATES

NEW AND PREVIOUS COMPLAINTS

Mr. Wilson discussed new and previous complaints that have come into the Board of Health office since the last meeting, held on October 6, 2020.

128 LISA ANN DRIVE

Phil Pendola, owner of 128 Lisa Ann Drive was present for tonight's meeting to discuss an issue with a recent repair he was doing on his septic system. Mr. Pendola told the Board that the leaching pit was collapsing underneath, so he thought he could just replace it. Mr. Pendola didn't realize that he would need to contact the Board of Health ahead of time, in order for him to make this repair. Mr. Pendola said he was not trying to hide anything, as it is right in his front yard and visible to anyone driving by. Mr. Wilson explained that as-builts would need to be on file with the Office and a repair permit would need to be issued before the repairs could be made. Mr. Pendola apologizes for the confusion and his lack of understanding the process for repairs.

Mr. Forte made a motion to have Mr. Pendola provide the Office with an as-built plan for the system, apply for the repair permit and meet with Mr. Wilson to verify everything will be done correctly. Ms. McGovern seconded and the motion carried.

BILLS

Ms. McGovern made a motion to pay \$55.22 to Home Depot for the purchase of a megaphone and a blood pressure monitor. Mr. Forte seconded and the motion carried.

BETTERMENT BILLS

Ms. McGovern made a motion to approve the Betterment Bill to New England Gravel and Michelle Gilley in the amount of \$12,200 for the septic system at 75 Farm Street. Mr. Forte seconded and the motion carried.

BETTERMENT LOAN AGREEMENTS

1007 SOUTH MAIN STREET

Ms. McGovern made a motion to approve the signing of a Betterment Loan Agreement between the Town of Bellingham and Mr. Claffey for the septic system at 1007 South Main Street. Mr. Forte seconded and the motion carried.

41 ROY STREET

Ms. McGovern made a motion to approve the signing of a Betterment Loan Agreement between the Town of Bellingham and Mr. Carter for the septic system at 41 Roy Street. Mr. Forte seconded and the motion carried.

39 PORTER ROAD

Ms. McGovern made a motion to approve the signing of a Betterment Loan Agreement between the Town of Bellingham and Mr. Boucher for the septic system at 39 Porter Road. Mr. Forte seconded and the motion carried.

25 MAIN AVENUE

Ms. McGovern made a motion to approve the signing of a Betterment Loan Agreement between the Town of Bellingham and Mr. Fryncko for the septic system at 25 Main Avenue. Mr. Forte seconded and the motion carried.

PLANS

83 LAKESHORE DRIVE

A septic design plan for 83 Lakeshore Drive was reviewed by the Board.

Ms. McGovern made a motion to approve the plan with the following local upgrade requests that were reviewed and verified by the Health Agent, Mr. Wilson:

- Allow setback of system to be 4' from the property line where 10' is required and to allow the setback of the septic tank to be 1' from the property line where 10' is required

per 310 CMR 15.405(1)(a)

- Allow more than 3' of cover over existing tank; tank will be converted to a pump tank. Riser to be installed to bring cover to within 6" of finished grade per 310 CMR 15.405(1)(b)

Mr. Forte seconded and the motion carried.

ADJOURNMENT

Mr. Forte made a motion to adjourn the meeting at 8:03 pm. Ms. McGovern seconded and the motion carried.

Respectfully Submitted,

Tina M. Griffin

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