

1. No Agenda

There is no agenda available for this meeting. Please review the minutes.

2. Meeting Materials

Documents:

[APPROVED_BOH_MAY_13_2021_RESCIND_AMENDMENT.PDF](#)

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Inspection Services
41 Elm Street

TOWN OF SOUTHBRIDGE

May 13, 2021 Board of Health Meeting 6:00 pm

6:15pm Public Hearing: To determine if Charlton can assume full oversight of Septic System at Lot 12 Prince Rd (spans town line)

6:20pm Public Hearing: Fee waiver for Seasonal Food Permit Town of Southbridge

Amended
Rescinded

Pursuant to Governor Baker's March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A, § 18, and the Governor's March 15, 2020 Order imposing strict limitation on the number of people that may gather in one place, this meeting of the Southbridge Board of Health will be conducted via remote participation to the greatest extent possible. Specific information and the general guidelines for remote participation by members of the public and/or parties with a right and/or requirement to attend this meeting can be found on the Town of Southbridge website, at <https://www.ci.southbridge.ma.us/>. For this meeting, members of the public who wish to watch the meeting may do so in the following manner; as usual, via cable access, TV Charter Spectrum channel 192.

No in-person attendance of members of the public will be permitted, but every effort will be made to ensure that the public can adequately access the proceedings in real time, via technological means. In the event that we are unable to do so despite best efforts, we will post on the Town of Southbridge website an audio or video recording, transcript, or other comprehensive records of proceedings as soon as possible after the meetings.

Agenda #1- Open Meeting- 6:03pm

Agenda #2- Roll Call

E. Stephen
R. LaRochelle
N. Duffey
A. Postale

Agenda #3- Accept Meeting Minutes

a. April 15, 2021- Motion to accept as written made by R. LaRochelle; 2nd by N. Duffey-

Roll Call

R. LaRochelle-yes
N. Duffey-yes
E. Stephens-yes
A. Postale-abstain

Motion passes 3-1 abstain Postale

b. April 24, 2021 Special Meeting- Motion to accept made by A. Postale; 2nd by R. LaRochelle-

Roll Call

N. Duffey-yes
A. Postale-yes
R. LaRochelle-yes
E. Stephens-yes

Motion passes unanimously

c. May 5, 2021 Special Meeting- R. LaRochelle motion to add members individual votes on page 3 and 4 administratively; 2nd by A. Postale-

RECEIVED
TOWN CLERK'S OFFICE
JUL 23 AM 8:30
TOWN OF SOUTHBRIDGE
MASSACHUSETTS

Roll Call

A. Postale-yes

R. LaRochelle-yes

N. Duffey-abstain

E. Stephens-yes

Motion passes 3-1 abstain Duffey

Agenda #4- Citizens Forum- Counselor Adams questions A. Pelletier on 338-340 Main St. The Building Inspector, M. Julian and Fire Inspector, S. Lavoie recently failed during an inspection; should these residents be in there? A. Pelletier explains he has not received an official report from the Building Inspector however, any existing violations on the building including the dumpster/trash will be transferred to the new owners. A. Pelletier to discuss this property with Inspector Julian.

Motion made by R. LaRochelle to open the 6:15pm public hearing: to determine if Charlton can assume full oversight of Septic System at Lot 12 Prince Rd (spans town line): CORRECTION- LOT 1 Prince Rd Southbridge, MA. 2nd motion by N. Duffey-

Roll Call

R. LaRochelle-yes

E. Stephens-yes

N. Duffey- yes

A. Postale-yes

Motion passes unanimously.

Meeting begins at 6:17pm. A. Pelletier explains the Town of Charlton conducted perc testing and deep holes for a septic system install located on Lot 1 Prince Rd Southbridge. The septic design indicates the installation of the septic system to be more than 80% in the Town of Charlton. Following a discussion with J. Philbrook from Charlton, he encourages Southbridge to give Charlton current and future authority over the entire septic system should anything go wrong with the system.

Discussion:

Motion made by R. LaRochelle to allow Charlton full oversight of the septic system located on Lot 1 Prince Rd owned by the Stoever's; 2nd by A. Postale-

Roll Call

E. Stephens-yes

R. LaRochelle-yes

N. Duffey-yes

A. Postale -yes

Motion passes unanimously.

Motion to close the 6:15pm public hearing by R. LaRochelle; 2nd by A. Postale-

Roll Call

E. Stephens-yes

R. LaRochelle-yes

N. Duffey-yes
A. Postale -yes

Motion passes unanimously.
Public hearing closed at 6:21pm

Motion to open the 6:20pm public hearing; Fee waiver for Seasonal Food Permit Town of Southbridge; 2nd by N. Duffey-

Roll Call
E. Stephens-yes
R. LaRochelle-yes
A. Postale-yes
N. Duffey-yes

Motion passes unanimously. Public hearing open at 6:22pm

A. Pelletier explains this request is from the Economic Development Office who run various events regularly at the Central Street parking lot. Most of these events will include food, food trucks or temporary foods. The Economic Office seek relief of the fee for its seasonal food license (\$50.00). A. Pelletier proposes the Board grant the waiver since it will be going from one town office to the other town office.
R. LaRochelle states he does not have a problem waiving the fee however, this does not set precedents. Any request for waivers will have to go before the Board.

Motion to waive the seasonal food license made by A. Postale; 2nd by N. Duffey-

Roll Call
A. Postale-yes
N. Duffey-yes
E. Stephens-yes
R. LaRochelle-yes

Motion passes unanimously.

Motion by R. LaRochelle to close the public hearing; 2nd by N. Duffey-

Roll Call
E. Stephens-yes
R. LaRochelle-yes
A. Postale-yes
N. Duffey-yes

Motion passes unanimously. Public hearing closed at 6:26pm.

Agenda #5- COVID-19

a. Update- A. Pelletier reports one positive case today bringing the total number of positive cases to 1887 since the on-set. We have had a significant slowdown in the last 14 days. The positivity rate is down to 3.3% which keeps the Town in yellow status. 5300 people in town have been vaccinated.

A. Pelletier reports the CDC has approved Pfizer for ages 12 to 15. In addition, the CDC came up with guidance today stating; those who are vaccinated do not need to wear masks however, we have not received guidance from the State. Additional information to follow on how the Board and the Town want to pursue this.

R. LaRochelle reports due to lack of people setting appointments, the clinic is closed on the weekends and also on Tuesdays. With this, the clinic is open Mon-Wed-Fri 7-6 and walk-ins from 10-4 Wednesday thru Friday, from 10-4 and walk ins are allowed as long as the vaccine is available. This is all subject to change until further notice.

The hospital has reserved the J&J vaccines for the homebound.

Agenda #6- New Business- A. Pelletier reports he is in discussion with the Town Manager on how to move forward with a sewer leak on Crescent St. The sewer leak is located on a private way affecting 3 properties. A. Pelletier has proposed the Town go and correct this with attempts to recoup the monies at a later time by either a lien or billing owners. Slims sewer has estimated this up to \$5,000.

Agenda #7- Old Business

a. Blight- Idlewood St- A. Pelletier reports a court date is scheduled for the 18th specifically to gain access into the building. If permission is granted to enter, the Building Inspector and the Animal Control Officer will accompany A. Pelletier. The next step will be based on what is discovered and its conditions.

215 Hamilton St- A. Pelletier explains this property was declared unfit for human habitation when the water was terminated and went through the court's receivership process however, no receiver was approved. The bank has since taken over the property. They have requested some time to sell the property. A. Pelletier entertains a plan with an agreement they would sell the property under specific conditions some of which include prioritizing the exterior; a Chapter 34 review and asbestos testing,

495 South St- A. Pelletier reports this property has had a tree fall through the roof and has since reached a point where it is unsafe. We have ordered the owner of this property to demolish it unfortunately, we are unable to contact the owner who has been MIA. The department will discuss proper service with Atty Caprera.

361 Worcester St- A. Pelletier reports he has met with the Attorney General and requested to consider this property for receivership and if so, what would be needed to move forward.

19 Crestwood- This is another property shown to the Attorney General. It is believed they (A.G.) would be ordering the property owners to clean it up.

36 Thomas St- The Town is on the verge of taking this property however, we are hopeful someone would purchase this property for short money and possibly rehab this one-bedroom home.

314 Hamilton St- The Attorney General also viewed this property. The owner of this property has passed and there is no executor of the estate. This property has illegal dumping in addition to the original dumping. A. Pelletier reports he spoke with Town Manager McCall to seek out bids. We have received a low bid of \$2500. If approved by the Town Manager, the debt will a lien.

R. LaRochelle inquires on the status of 236 Dennison Drive. It is believed this house went into foreclosure and the amount of trash/rubbish piled up on three sides of the house is scary. R. LaRochelle states the Fire Department has been aware of this. A. Pelletier reports the inspector has acted on this property and ordered to clean it up. Unfortunately, it gets cleaned up and then it gets back into a dumping ground. If this property is not cleaned up by Monday, a ticket is to be issued.

R. LaRochelle states he has been contacted by people regarding Lopez and the toilets/drain that may or may not drain into the river. Would like to see this rectified before any other use of the building is allowed. A. Pelletier explains he met with the property owner, ran a snake from the back of the building into the floor drain and appeared to be blocked. It appeared to be cemented.

b. 318 (320) Main St- A. Pelletier explains on May 5th the board declared it unfit for human habitation. Per the Boards order/direction the owner was issued an order on paper to vacate the building. On Monday, May 10th a reinspection revealed the building had not been vacant. On Tuesday, May 11th orders were prepared and mailed to the occupants ordering to vacate the premises forthwith. This order was also posted on the building. A. Pelletier intends to enter the building on Monday and if there are any occupants remaining, he will contact the Attorneys for further guidance. A. Pelletier reports he has contacted legal assistance about moving expenses and or assistance. He has advised the occupants to contact legal aid as well.

In addition, after discussing the dumpster issue located at 318-320 Main St with Chair Stephens, he contacted Casella to empty the dumpster. If and when there are no occupants, A. Pelletier will order the dumpster be removed.

R. LaRochelle deeply expresses his concern and disgust regarding the board's order issued on April 24th to vacate the apartment; then on May 5th the board ordered the entire building vacated because it is a life safety issue. Here we are May 13th listening about all the paperwork going back and forth with occupants still in the building. R. LaRochelle continue to express disappointment with the Department's lack of progress in vacating the building.

Discussion:

Counselor Adams request Mr. Pelletier contact Casella to empty the dumpster located at 318-320 Main St on Friday. The day before the Central St event.

Counselor Adams questions A. Pelletier if the police can physically remove the occupants of 318-320 Main St and place locks on the doors. A. Pelletier informs the board he will contact the Attorney's on Monday for guidance on whether the occupants can be physically removed from the property without due process. If so, then the Police will be contacted.

Counselor Adams asked A. Pelletier if Mr. Foote is receiving State Aid as a Certified Sober House or Boarding House?

A. Pelletier responds to his knowledge in order to receive any type of state aids or referrals, 318-320 Main St would have to be certified with State as a Sober/Boarding House and it is believed it is not certified as such. Mr. Pelletier states he has researched the Registry of Deeds and anyone who has a financial interest such as mortgage holders, banks etc has been provided all orders. They are aware of the situation.

Discussion:

Members of the Board continue to express dissatisfaction with the Departments lack of concern on the safety of the occupants.

A. Pelletier reiterates he will contact the Attorney's for corrective guidance and or action on vacating occupants of the building. A. Pelletier will keep the board informed of the conversation with the Attorney's.

c. Finalize Solid Waste Regulations- A. Pelletier states at the last meeting the board was provided the draft and final Solid Waste regulations as well as the amended Board of Health fee schedule for review. Brief discussion. R. LaRochelle request to add: per parcel

A. Pelletier to schedule a public hearing for next month BOH meeting

Agenda #8- Chairman Announcements- No announcement

Agenda #9- Health Director Announcements- A. Pelletier reports Beautify Southbridge will take place next Saturday 8am-Noon. We will be set up at the Town Hall. Anyone interested in attending the event will be assigned a high exposed area or they can choose where to Beautify Southbridge. Department staff will be in attendance to assist.

In addition, A. Pelletier announces the Town may have an opportunity to participate in a regional public health grant. The \$300,000.00 grant is a public health excellence shared services grant and will require full support from the Board and Town Council in order to participate. A. Pelletier will provide a mission statement to the Board then move this up to Town Council.

Agenda #10- Board Members Announcements-

a. N. Duffey- A service available to provide food for anyone in need. Feel free to reach out.

b. R. LaRochelle- Requests feedback on a complaint from Thursday's trash route. A. Pelletier states he has specifically driven the route. The black bags nor the non-conforming toter were out on the curb. We will continue to keep our eyes on these concerns. R. LaRochelle affirms there was a non -conforming toter and a big black bag out when he left the house in the morning.

R. LaRochelle inquires on information regarding Mr. Gregoire's well on Pleasant St. A. Pelletier reports the office does not have any well records for that property however, will touch base with Anna Smith for well records around the Landfill.

c. A. Postale- no announcement

Agenda #11- Schedule Next Meeting- June10, 2021 at 6:00pm

Agenda #12- Adjournment- Motion to adjourn made by R. LaRochelle; 2nd by A. Postale-

Roll Call

R. LaRochelle-yes

E. Stephens-yes

N. Duffey-yes

A. Postale-yes

Motion passes unanimously 4-0. Meeting closed at 7:56pm

PENDING: Body Art Regulations
Marijuana Permitting

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